

APPENDIX

TO THE HISTORY and ANTIQUITIES of *ELR.*

NUMBER I.

Carta Regis EADGARI de Institutione Abbatie Eliensis.—Ex Autographo, penes Rev. et Doct. Carolum Mafon, S.T.P. 1766.

OMnipotentis Dei cunctorum sceptris regentis moderamine regum, immo totius seculi creatureque cuncte indissolubili regimine eque gubernantis habenas, ipsius nutu et gracia suffultus, Ego EADGARUS basileus dilecte insule *Albionis*, subditis nobis sceptris *Scotorum, Cumbro- rumque*, ac *Brittonum*, et omnium circumcirca regionum quiete pace perfruens, studiosus sollicite de laudibus Creatoris omnium occupor addendis, ne nostra inertia nostrisque diebus plus equo servitus ejus tepescere videatur, sed greges monachorum et sanctimonilium hac nostra tempestate, ipso opitulante qui se nobiscum usque in finem seculi manere promittere dignatus est, ubique in regno nostro desertis monasteriis antiquitus Dei famulatu deficiente nunc reviviscente adfurgere cupimus sub *Benedicti* Abbatis regula viventes, quatinus illorum precatu & vigente religione sancta, servitus Dei, nos ipsum placatum rectorem habere queamus. Unde frequentes monitus venerabilis *Atheluuoldi* Episcopi cordetenus pertrectans, cupio honorare hoc privilegio rebusque copiosis Monasterium quod in regione *ELIG* situm dinoscitur, antiquitus ac Sancti *Petri* Apostolorum principis honore dicatum, decoratumque reliquiis & miraculis Alme Virginis *Ætheldrede*, cujus vita venerabilis nobis modernis historia *Anglorum* promitur, que etiam incorruptibili corpore hactenus condita mausoleo marmoreo albo perdurat. Locus denique predictus, deficiente servitio Dei, nostra etate regali fisco subditus erat, sed a Secretis noster *Atheluuoldus* Deique amator diocesi *Uintoniensis* civitatis fungens, datis nobis sexaginta cassatis in villa que ab accolis *Heartingas* nuncupatur, mutuavit locum predictum cum appendiciis ejus, augmentavique mutationi tres villas que his nominibus vocitantur *Meldeburna, Earmingasford, Northuuold*, et ipse ilico monachos meo consilio et auxilio Deo fideliter regulari norma servientes perplures inibi collocavit, quibusque *Brihtnothum* quendam sapientem ac bene morieratum [*sic*,] virum prepositi jure prefecit; Cui effectui admodum ego congaudens letabundus pro amore

Christi et Sancti *Petri*, quem patronum michi sub Deo elegi, & Sancte *Ætheldrede* Virginis Deo dilecte, et ejus prosapie sancte illic quiescentis, et pro animabus patrum meorum regum antiquorum, augmentare largiter mutationem illam his donis, testibus consiliariis meis, volo, hoc est, decem millia anguillarum que omni anno in villa que et *uuýllan* dicitur, pro expeditione redduntur, fratribus ad victualia modo et deinceps concedo, et intra paludes causas seculares duorum centuriatum, et extra paludes quinque centuriatum in *Uuichlauuan* in provincia *Orientalium Saxonum*, benigne ad fratrum necessaria sanctiando largior, quin etiam omnes causas seu correptiones transgressionum juste legis in sermonibus secularibus omnium terrarum sive villarum ad Monasterium predictum rite pertinentium, et quas in futurum eum Dei providentia loco prefato largitura est, sive emptione seu donatione aut aliqua justa acquisitione. Stent cause seculares emendande tam clementi examine fratrum loco manentium victui vel vestitui necessaria ministrantes, adhuc insuper omnem quantum nummum rei publice in provincia *Grantaceaster* fratribus reddendum jure perpetuo censeo. Et sit hoc privilegium liberum quasi munus nostrum Deo devote oblatum et sanctis predictis, ad remedium animarum nostrarum, sicuti prefati sumus, ut nullus Regum nec Principum aut ullius ordinis quislibet prepotens in posterum obstinata tyrannide aliquid horum infringere presumat, si non vult habere omnipotentis Dei maledictionem et Sanctorum ejus et meam et patrum meorum pro quibus ista omnia libera haberi volumus eterna libertate in eternum. Amen.

Hoc Privilegium hujus donationis et libertatis fecimus scribi Anno Incarnationis Domini nostri Jesu Christi Nongentesimo Septuagesimo, Indictione tertia decima, Anno Regni mei eque tertio decimo, in Villa Regali que famoso vocabulo a solicolis *Uulfamere* nominatur, non clam in angulo, sed sub divo palam evidenter, scientibus totius Regni mei Primatibus, quorum quedam Nomina hic infra inferi ad testimonium in posterum mandavimus.

Ego EADGARUS Rex animo benigno hoc largiendo Deo concessi, et regia sublimitate corroboravi †

Ego DUNSTAN Archiep's corroboravi †

* A

Ego

Ego OSCYTEL Archiep's consolidavi +
 Ego ATHELWUOLD Ep's confirmavi +
 Ego ÆLFSTAN Ep's consignavi +
 Ego OSULF Ep's confirmavi +
 Ego UULFRIC Ep's adquevi +
 Ego UUYNSIGE Ep's corroboravi +
 Ego ALFUUOLD Ep's confirmavi +
 Ego ALUWOLD Ep's consolidavi +
 Ego OSUWOLD Ep's adquevi +
 Ego BYRHTHELM Ep's confirmavi +
 Ego EADELM Ep's consignavi +
 Ego ÆLRIC Ep's consolidavi +
 Ego UULFSIGE Ep's corroboravi +

ÆLFTHRYTH	Regina	+	LEOFA	m	+
ÆLFRIC	Abb	+	BRIHTRIC	m	+
ESCUUIG	Abb	+	ÆLSIGE	m	+
OSGAR	Abb	+	ULF	m	+
ÆLFSTAN	Abb	+	OSULF	m	+
ÆTHELGAR	Abb	+	HEANRIC	m	+
CYNEUEARD	Abb	+	HRINGULF	m	+
THURCYTEL	Abb	+	LEOFSTAN	m	+
EALDRED	Abb	+	OSLAC	m	+
ORDBRIHT	Abb	+	FRENA	m	+
SIFERTH	Abb	+	SIFERTH	m	+
MARTIN	Abb	+	LEOFRIC	m	+
ÆTHELSTAN	Dux	+	EADRIC	m	+
ÆLFHERE	Dux	+	UULFNOTH	m	+
ÆLFHEAH	Dux	+	ÆLSIGE	m	+
ORDGAR	Dux	+	ULFCYTEL	m	+
ÆTHELUUINE	Dux	+	HROOLD	m	+
OSLAC	Dux	+	THURSTAN	m	+
MALCOLM	Dux	+	OSGOD	m	+
BIRHTNOTH	Dux	+	GOTA	m	+
EADULF	Dux	+	FRITHEGIST	m	+
BIRHFERTH	m	+	THURFERTH	m	+
EANULF	m	+	THURGOD	m	+
ÆLFUINE	m	+	OSFERTH	m	+
ÆTHELUUEARD	m	+	OSCYTEL	m	+
ÆLFUINE	m	+	SIFERTH	m	+
UULFSTAN	m	+	THURCYTEL	m	+
ÆLFUUEARD	m	+	FORNE	m	+
UULFGEAT	m	+	CNUT	m	+
OSULF	m	+	THURSTAN	m	+
OSUUEARD	m	+	THURCYTEL	m	+

His igitur testibus et aliis compluribus de omnibus Dignitatibus et Primatibus regni mei hec constituta et peracta noscuntur, que etiam nostra usitata sermocinatione describi mandavimus hac eadem sceda, quo possint in auribus vulgi sonare, ne aliqua scrupulocitate admisceri videantur, sed Regia auctoritate seu potestate nobis a Deo donata omnis contradictio funditus adnulletur:

Gode ælmihtu gum paxiente xepæt &c.

NUMB. II.

Carta Regis EDWARDI Confessoris de Libertatibus Ecclesiæ Eliensis.

EDWARDUS Dei gracia Rex Anglorum cunctis Christi fidelibus perpetuam in Domino salutem. Cum Rex et Dominus omnium Deus nullo indigens cuncta possideat, agit ineffabili qua hominem dilexit caritate, ut ex hiis que usui humano creata largiter ministrat, Ipse aliqua quasi donaria gratanter recipiat, quo se colentes ad sue servitutis intencionem devociore reddat, quos postmodum perpetua secum libertate regnare concedat; Qua servitutis intencione antiqui Patres succensi, sua primum Domino studuerunt impendere, postmodum se, mutantibus terrenis celestia, temporalibus sempiterna. Quorum vestigia *Edgarus* avus meus ac Predecessor sceptrigere potestatis diligenter subsequens, et exempla perfectius implens, *Elyense* Cenobium et alia, illud tamen egregie preter cetera restauravit, restaurans ditavit, ditans omnimoda libertate quietavit, consultus adjutusque sedula Sancti *Æthelwoldi* summonicione vel copiosa prediorum augmentatione; quod et Sancto *Dunstano* alacriter collaudante cunctisque Primatibus Regni privilegio firmatum est. *Æthelredus* quoque Pater meus sue gubernacionis tempore quedam predia eidem loco contulit, prioremque libertatem sue suorumque concessionis privilegio solidavit. — Horum ego *Edwardus* Dei gracia successor licet indignus, cum in hiis devotam circa Dei ecclesiam, religionem vel religiose devocionis operationem longe dispar conspicio, veneranda eorum Statuta nequaquam infringere presumo, sed fortiter quantum in mea efficacia est, defensare, et utcumque augere desidero; unde et prefato Cenobio villam nomine *Lakingehi* firme et hereditarie subicio, quo illorum aliquo modo jungar consorcio, et Sanctorum inibi multiplici meritorum laude quiescentium amplificer suffragio; Libertatem ab eisdem, ut diximus, restitutam, ab ipsa autem Regina Virgine Sanctissima prius habitatione possessam, possessione sanctificatam, sanctificatione venerabilem factam, inviolatam manere et omnimode provehendam censeo, quod et privilegii attestacione, meorumque consensu Fidelium stabile presentibus et futuris pronuncio. Summam ergo eorum que illo loco hoc nostro adjacent tempore, vel quali legum consuetudine, nominatim subjecta monstrabimus descriptione. In Comitatu *Grantecester*, ipsa *Insula* cum duobus Centuriatibus et omnibus appendiciis; *Extra*, *Swafham*, *Horningesey*, *Dittune*, *Haukestone*, *Neutone*, *Stapelford*, *Schelford*, *Trippelawe*, *Meldeburne*, *Erningesford*, *Grantedene*, *Steuechworth*, *Balesham*, *Fulburne*, *Tevere-sham*, *Westley*, *Trumpitone*, *Wrattinge*, *Sneikwelle*, *Dittone*,

Dittone, Hardwyk, Middeltune, Impetone, Cotenham, Wyvelingham, Omnisque Quartus Nummus Rei publice in Provincia *Grantecester*, et alique terre in ipsa Villa. — In Comitatu *Suffolch, Hertest, Glamesford, Hecham, Ratesdene, Drenchestone, Neddinge, Berkinges, Bercham, Wetheringsfete, Liveremere, Acholt, Wychelaue* Quinque et dimidium Centuriatum, *Sutburne, Meltone, Kingestone, Ho, Stoke, Debeham, Brithwelle, Ordebruge, Brandune*. — In Comitatu *Northfolch, Felteuwell, Breggeham, Methelwolde, Crokestone, Watinge, Mundeford, Berc, Wesfeld, Finceham, Northwelle, Walepol* cum appendiciis, *Merham, Derham, Thorp, Puleham*. — In Comitatu *Excesse* [i. *Essexie*,] *Hadestoke, Litelbirih, Stratlay, Due Rothinges, Ratendune, Amerdene, Brochesene, Estre, Fanbruge, Terlinges*. — In Comitatu *Hereford, Hadham, Hethfeld, Keleshelle*. — In Comitatu *Huntendune, Spaldwyk* cum appendiciis, *Sumeresham, Colne, Bluntesham*. Hec et horum appendicia five majora five minora, insuper omnia a quocumque adjecta vel adicienda bonorum testimonio possessa, cum omni Sacha et Socha, sine aliqua excepcione secularis vel ecclesiastice justicie, illi Monasterio damus, data quieta clamamus, eadem qua Sancti viri illud glorificaverunt libertate, quo neque Episcopus, neque Comes, neque alicujus exactionis Minister, sine licencia vel advocacione Abbatis et Fratrum ullo modo se presumat intromittere, vel rem Sancte aliquo modo inquietare. Sitque in eorum, ut semper fuit, arbitrio, a quocumque potissimum elegerint ordinari, vel sua sanctificari Episcopo. Convenienti equidem dispositione Regina hac utitur libertate, que Regem et Regnum Mundumque florentem deferens, *Insulam* pro dotalicio possedit, ubi sponso suo Christo integerrime servivit, quod et caro florens in tumulo, veste etiam incorrupta ostendit: Hec quemcumque voluit Episcopum affcivit, sed Sanctus *Wilfridus Eboracensis* Archiepiscopus familiarior ei extitit, qui eam cum suo cetu Virginum consecravit. Cum autem multo posteriori tempore, servicio Dei pene deficiente, *Ædgarus* restauraret Cenobium, posito ibi grege Monachorum, Abbates prefecit; quos Sanctus *Æthelwoldus* et Sanctus *Dunstanus* Sanctusque *Oswaldus* ordinaverunt, et quamdiu vixerunt quasi suis consuluerunt. Post hos quosque meliores vinculo caritatis sibi adtrahebant, e quibus aliquos secum in Monasterio retinebant. Harum ergo consuetudinum cum non fuisset Constitutor, malo esse Testis et fidelis Conservator, quam perfidus et detestabilis Everfor, Dominum summum Salvatorem invocans, ut qui hec Constituta Sanctorum nostrumque infregerit testamentum, Sanctorum et Omnipotentis, nisi peniteat, incurrat odium, induens malediccionem sicut vestimentum, dum *Jude* emulatur opprobrium.

NUMB. III.

Privilegium Papæ VICTORIS II. de Libertatibus Ecclesiæ Eliensis. — E duobus Libris MSS. Fol. Notat. A. et M. in Ædibus Dom. Episcopi Elien. Holbourn.

VICTOR Episcopus, Servus Servorum Dei, *Ædwardo* Regi *Anglorum* filio dilectissimo, cunctisque Principibus regni salutem et Apostolicam benedictionem. Privilegium Apostolica et Romane Ecclesiæ auctoritate antiquitus conscriptum et multorum sepius attestazione auctorizatum super cenobium *Eliense*, quod gloriosi sancte Ecclesiæ Patres pio affectu, larga manu constituerunt, vestre pie petitioni succincte renovamus, ac perpetua stabilitate firmamus, immo firmatum conclamamus. Mandamus ergo et jure Apostolico precipimus liberam esse Ecclesiam, et omnia que ibi continentur vel adjacent vel adiciuntur, Cellis, terris, agris, pascuis, paludibus, filvis, venationibus, aquis, piscationibus, libertatibus, serviciis, debitis, decimis, censu, capitationibus, legibus, consuetudinibus, causarum discussionibus, correptionibus, emendationibus five ecclesiasticis five secularibus, et omnino quecumque scriptis vel testamentis ipsius loci vel testimonio bonorum hominum rememorari possunt, que a regibus vel ab aliquo fidelium Sanctis in illo Monasterio collata vel concessa sunt, quo nemo ex hiis subtrahere vel diminuire aut disperdere aliqua occasione, judicio vel potestate presumat, nec Episcopus, nec alicujus ordinis minister se intromittat. Siquis vero malignitatis spiritu commotus hanc libertatem loci illius infringere, nostrumque privilegium contempnere vel abicere voluerit, a Deo et ab omnibus Sanctis ejus sit condempnatus, et a Nobis in quantum licet excommunicatus, et a consortio omnium fidelium seperatus nisi resipiscat. Fiat, fiat; Placet, placet; Laudatis, laudamus. Hoc sit stabile. Fiat, fiat, fiat.

NUMB. IV.

Remarks on the TABULA ELIENSIS, Plate XIII.

THERE are few pieces of English Antiquity that have afforded more amusement to the Curious, than the Representation given of certain Knights and Monks of Ely; taken, as it is said, from a Painting formerly to be seen in the great Refectory of the Monastery, now the Deanery, of Ely. Several Copies of it have been published: One by Fuller, [Church History, pag. 169.] communicated to him by Sir Simon Archer. Another is at Oxford, of Dugdale's Collection in the Ashmolean Museum. [MS. 6501. II. F. 2.] — That from whence my

* A 2 Copper-

Copper-plate Print is taken, is an ancient Painting, lately in possession of Dr. Knight Prebendary of Ely, and now by his Gift remaining in the Palace of Ely, and is often quoted by the learned Dr. Stukeley in his account of the Origin and Usefulness of Heraldry, under the title of *Tabula Eliensis*. [Palæographia Britan. N° ii. pag. 120.] By which it appears, that the Knights and Gentlemen there represented were some of the principal Officers in William the Conqueror's Army, and of Families that made the greatest figure at that time, their Descendants still bearing the same Arms.

The great difficulty is to determine about what time these Arms were first put up in the Common Hall of the Monastery. That they were put up and painted there in the reign of the Conqueror, seems to be intimated by a MS. lately in the King's Library [MS. 18. C. 1. 3.] now in the British Museum, entitled '*Story found in the Isle of Ely*.' In which fragment of History the account given of this matter is as follows: — 'Then the Captaines layeng their heades together,' [N.B. in the same MS a few lines before, it is said, the Monks consulted together to surrender the Isle, and went to the King at Warwick,] 'thought it good to sue to the King for mercie. Whereupon Messengers are dispatched to the Kinges court which was then at Warwick, carrying to the King rich treasure for the appeasing of his wrath for their offence. With this present the King is pacified, yet under this condicion, that during his displeasure they should at the charge of the Monastery entertayne with meate, drinke, and lodging 40 of the Kinges Souldiours; for he feared lest that whilst he bent his forces against the untamed Scotts, the Isle of Elie, being of force to be feared, should to the endangering of his state, revolt againe. These Souldiours come with their retinewe, of whom every one is put to one of the chiefeest Monkes, even as a guest to his host. But the King appointed that Brithnodus the Steward should set the Souldiours and the Monkes together, one with another, at meate in their common Hall of the Monastery. — What should I use many words? — The Hostes made exceeding much of their Guestes, and the Guestes of their Hostes. At length when the cyvill broyles were cleane extinguished, and all indevoirs to the Kinges mind atteyned, his rage being swaged, he was content to ease the Monkes of this yoke wherewith their pride was nowe sufficiently abated, and called these Souldiours awaye againe to be sent into Normandy to repress the pride of his insolent Sonne Robert, which at that tyme havynge the raynes at libertye, made great hurly burly there. These Souldiours were sorry to depart; but our Monkes (marvel it is to tell,) did not only with

teares bewail the departure of their deere fellows the noble Souldiours, but also with howling fearfull to be heard, did cry out beating their brestes voyd of all hope. — When these Gentlemen should departe, all our Monkes, (whose number was great,) wearing copes did curteously bring them as farre as Hadenham in proceffion with finging, — and with all the solemnitie that could be. And when they were returned home, they very curiously caused every mans Armes to be painted upon the walls of the Hall where they dined and supped, for a perpetual memory of them. Which Armes have been from time to time, from predecessors to successors, from antiquity to this present, diligently kept and polished. — Fuller has the like account in his Church History, p. 169, seemingly a different translation of the same Author.

In order to give some light into this affair, it will be proper to observe, that in the year 1070, the 4th year of his reign, the Conqueror made all the lands belonging to the Church, subject to Knights-service, i. e. to be held of him by the service of finding such a number of Soldiers as he was pleased to impose on them, to be in readines whenever he should have occasion for them: and it should seem from the above account, that the Abby of *Ely* was settled at Forty Knights-fees, at the time that the Abbot was with the King at Warwick to treat about the Surrender of the Isle. Indeed it was usual with the King to quarter his Soldiers on the Monasteries in many places of the Kingdom, before Knights-Service was fixed and imposed on the Church; which served the purpose both of saving the expence of maintaining his Army, and also of having them in readines to suppress any insurrections of the people. — Now on taking the Isle of Ely by force in the year 1071, he went to the Monastery, and the Abbot and Monks being under his displeasure, he placed therein a sufficient number of Soldiers to keep the Monks in awe; and these were designed, together with those left at Aldrey-Castle at the same time, to defend the Isle, and keep possession of it till all those disturbances were over; — but are not to be considered as the Soldiers that the Monastery was to find by their tenure of Knights-service, which were fixed at forty; but only as a garrison that he placed in the Isle to serve the present purpose, till peace was settled. How long the King kept this garrison in the Isle, is uncertain; probably it was withdrawn when the King had fixed Theodwin in the Abby; for then, having an Abbot to his mind, and one that he could trust, there would be the less occasion for it, as he had one present on the place to take care of his interest.

That these Arms were put up in the reign of the Conqueror, will hardly be allowed by those who

who assert, that Hereditary or Family Arms were not in use before the reign of Henry II. or Henry III. and who observe likewise that in the same Family the Sons oftentimes used different Arms from those their Fathers had, till about Henry III. when Arms became hereditary, descending from Father to Son, and were made use of as *Family-Cognizances*. — However, since it is allowed, that personal Arms, Cognizances, or Ornamental Distinctions of particular persons on their Arms, were in use in the time of the Conqueror, it does not appear quite improbable, but that these very Arms or Cognizances might be the same that were used by those Knights, to whom they are attributed.

The title of the Painting from whence my Print is taken, gives us the year 1087, as if the Knights were placed there that year: — but that is certainly a mistake, and probably was occasioned by the King's ordering, in the year 1086, just before he left *England*, the same number of Soldiers to be provided for by the Monastery, in the time of Abbot Simeon; who accordingly procured such of his Tenants, and others that were willing to enter into his Service, and placed them in the Monastery; where they were all in the year 1087, provided with meat and drink, and had their stipends paid them by the Abbot, to be in readiness when the King should have occasion for them.

I therefore apprehend, that it is to some time during the Administration of Godfrey, that we are to refer what is mentioned concerning this ancient Painting. This Godfrey was a Monk, who had been brought over from Normandy with Theodwin, whom King William had promoted to the Abby of Ely, and under him having had the chief management of the affairs of the Monastery, was upon the death of Theodwin ordered by the King to take upon himself the Administration of the Abby, till the King should fix on a Successor: He continued to govern the Monastery in all respects as if he had really been Abbot, almost seven years. It is probable that upon the Death of Theodwin, when the King sent down to Ely Eudo the Sewer, William de Belfou, and Anger his great Officers, to take an inventory of the Moveables of that Church, in the presence of the Sheriffs; he likewise ordered these 40 Knights and Gentlemen to attend them, and to effectuate his commands; these were Soldiers of fortune, and some of his followers, for whom he had not as yet made any settled provision; who therefore for the present were each of them placed with a Monk, as his associate in the Common Hall, to be maintained at the Charge of the Abby, till he should otherwise provide for them. Godfrey is the first mentioned in the Catalogue of the Monks, being the Chief, and Administrator of the Abby at

that time; with whom is placed Opsal Master of the King's military Engines: — no Abbot of the Monastery is mentioned, because there was none; for had there been one, some of the Knights, being of eminent rank and quality, would no doubt have been placed with the Abbot. — It is probable that the King kept the Monastery the longer time vacant, that the Knights might be the better maintained. — The time that these Knights were withdrawn likewise fixes it to the time of Godfrey's Administration; for they were called away and sent into Normandy on the insurrection of Robert the King's Son, who in the year 1077 was endeavouring to seize the Dukedom of Normandy. — Fuller thinks that these Arms were set up in Ely Hall, (as may appear, says he, by inserting the Coat of Robert the 14th Bishop of Ely,) about the year 1306. But no conclusive argument can be drawn from that circumstance, that they were then *first* put up; but that they were probably renewed in that Bishop's time; agreeably enough to the account given in the above MS. 'that they have been from time to time, from predecessors to successors, from antiquity to this present, diligently kept and polished.'

2.

Further Remarks on the TABULA ELIENSIS, by the Rev. Mr. Cole Rector of Blechley, Bucks.

I Look upon the Ely Tablet as a great curiosity and valuable piece of Antiquity; however, I cannot by any means think it near the Date it carries in it's front; and that for many reasons. In the first place, the Characters do not seem to be above 3 or 400 years old, no more than the Form of the Figures. Mr. Walpole in his *Anecdotes of Painting in England*, vol. 1. p. 24. seems to place the utmost extent of Oyl-Painting to the 14th Century. The pointed or rather rounded shape of the Helmets worn by the Knights, is also a proof that the Picture was painted not before the 14th Century, when Helmets of that fashion were first introduced in order to parry off the force of a Sword or other Instrument the better, by sliding aside, than the elder ones of a flat form at top, used before that time; as Father Monfaucon very rightly observes, in his *Antiquitez de la Monarchie Francoise*, vol. 2. p. 286. Besides, the shape of the Shields or Coats of Arms, if they are made like those in the original picture, betray it to be of a more Modern Date still: for that shape, rounded towards the bottom, was introduced in the 15th or 16th Century; whereas the form of an old shield in Edw. 3d's time was almost triangular, with a narrow point at bottom: the very utmost extent of antiquity that can be allowed to this Picture; but I think the Letters and Characters will

will reduce it lower.* As to the difficulty of the time of bearing Coat Armour as a distinction for Names and Families, in my opinion, that will not much affect the Authenticity either of the Fact, or the Picture: for it is only supposing the general History of so many Knights being hospitably entertained at Ely, and agreeing well with their Entertainers, to be true; and one may easily conceive such a fact to be handed down, either by Writing, Painting, or Tradition, to their Successors, with the Names, both of Monks and Knights; and allowing that Coat Armour was not yet introduced, as I think it was not, notwithstanding what Dr. Stukeley says to the contrary; yet in a Century after, when it became much the fashion, it is most natural to suppose, that the grateful Monks would add the Family Arms of each particular Knight, as was then made use of, to enliven their Picture, and be an encouragement for those Families to whom the Arms belonged, to be Benefactors to the Convent. It seems to be agreed on all hands, that what we now call Coat Armour, as an hereditary distinction of Families, was introduced not before the middle of the 12th Century, after the Second Croisade: though perhaps some few instances, rather of Devices than Arms, may be produced as high as the Conquest; yet we can never suppose, with any kind of probability, that these 40 Coats were born by the several Knights, to whom they seem appropriated, so early as 1087: although it is notorious that almost every Coat was born by the Family or Name as mentioned on the Table: from whence we must conclude that the Table or Picture, with these different Arms, was devised or painted many years after the transaction it was to represent happened. It is no difficult matter to account for these old Knights fondness for their Landlords the Monks of Ely: they lived on the Fat of the Land, and knew when they were well. That they were much at their ease, is highly probable from this Distic, which you may have overlooked in Fuller, Book 6. p. 299, who records, that Ely put down all the Abbeyes for Feasting: his words are these; 'Of all Abbeyes in England, Ely bare away the Bell for bountiful Feast-making; the vicinity of the Fens affording them plenty of Flesh, Fish and Fowle, at low rates. Hereupon the Poet,

'Prævisis aliis, Eliensia Festa videre,
'Est, quasi prævisa nocte, videre diem.
'When other Feasts before have been,
'If those of Elie last be seen,
'Tis like to one who hath seen Night,
'And then beholds the Day so bright.

But to be serious: I really look upon this old Picture to be one of our most antient pieces of Painting, and highly deserving the honour you have done it, by having it engraved. When I was at Ely in 1759, I was the more desirous of looking at the Ely Tablet hung up in the Palace, and taking a Copy of it, as Dr. Stukeley in his loose, vague and supercilious manner, has in his 2^d. part of *Origines Roystonianæ*, p. 120, &c. very imperfectly, not to say, absurdly and falsely, given part of it, as he pretends, from the Tablet of Ely itself: but how justly, any one that will be at the pains to collate the one with the other, may easily judge. If he mangles, falsifies and disfigures other monuments, which pass through his hands in the same manner he has done this, certain I am that no great stress can be laid on his Authority. There are also 2 other printed Accounts of this curious Tablet, the one given us by Dr. Fuller in his *Church History*, Book 2. p. 168, 169. with a Sheet of the Arms of the several Knights: the other by Mr. Blomefield, in the first page, and what follows, of a 4th Book entitled *Collectanea Cantabrigiensia*, printed at Fersfield, in 1742; the 20 first pages of which Book he afterwards cancelled, and replaced them with Inscriptions and Antiquities wholly relating to the County of Cambridge: so that, I suppose, this Tablet of Ely is not easily to be met with at present, by him; on which account, I shall give a description of it, from his cancelled Book; a Copy of which is in my possession, given by him to me. He printed it from an original old Parchment Roll, then in his possession, now where dispersed I know not, and formerly hung up in the Refectory of the Priory of Ely: it is above a yard long, having a piece of silk hanging before it: on the Top are the Arms of St. Ethelburgh, as she is there called, for St. Etheldreda, Foundress of the Abbey, viz. Gules, 3 Crowns Or; — of St. Ethelwalde Bp. of Winchester, viz. Gules, 3 Keys erect Argent; the same as were afterwards assumed for the Priory, and now used for the Deanery: — of King William the Conqueror, viz. Gules, 2 Lions passant guardant, Or: — and of Robert de Orford the 14th Bishop of Ely, viz. Gules, 3 Keys erect, about the middle of each, an Annulet crowned, Argent: — during which Bishop's time, this Roll was made: so that it must be between the years 1301 and 1309, when that Bishop died. The Historical part is in the middle, a Translation of which into English may be seen in Fuller, in the before cited place; (where by the way he calls Earl Morcar of Northumberland by the Name of Earl

* Another circumstance by which the age of this Tablet may be probably guessed at, is the form of that Ornament in which the Inscription is wrote; it is a kind of Cartouch, or Compartment of Leather-work; this kind of Ornament, rather plain and simple, was used in Architecture, Painting, and Sculpture, in the time of Henr. 7. and of Henr. 8; whether earlier, does not appear: however, it continued in use, though in a more airy and loose form, during the reigns of Edw. 6. and Q. Elizabeth, and probably later: but taking the form of the Letters and other circumstances together; it is most likely the Tablet was painted in the time either of Henr. 7, or of Henr. 8. [This Note by Mr. Ja. Essex.]

Earl of Margary;) and on each side are 20 Shields of the Knights who were quartered upon the Abbey, over each of which is the Knight's Name, with that of the Monk with whom he was quartered. But as the Picture at Ely exhibits both the Arms, with the Effigies of the Knights and Monks in their proper Benedictine Habit, this is a greater Curiosity than that in the late Mr. Blomefield's possession: though perhaps his may be the older. Dr. Fuller seems to have taken his Transcript from the same Parchment which afterwards came into Mr. Blomefield's possession; as Bp. Robert de Orford's Arms were depicted with the others on the same Wall or Tablet; for I do not exactly understand him. As to the year 1306, when, he says, they were set up in Ely Hall, that is to be supposed only to be guess-work, as the mean year between his advancement to that See, and his Death: though he says the writing was composed in the Time of Hen. 7. possibly therefore the one might be a Copy from the other: for that there were many of the same sort is evident from this circumstance: when Dr. Peter Heylyn in his *Examen Historicum*, expressly wrote against the Church Historian, finds fault with him at p. 4, of his Preface, for printing this Roll, as being foreign to an Ecclesiastical History: Dr. or Mr. Fuller, in his *Appeal of injured Innocence*, p. 34, returns him this sensible Answer; 'The Arms of the Knights of Ely might on a threefold title have escaped the Animadverto's censure: First, they were never before printed; Secondly, the wall whereon they were depicted, is now demolished; Lastly, each Knight being blended (or, as I may say, empaled) with a Monk, a moiety of that mixture may be construed reducible to Church History.' By which account, we may learn, that there was still another Picture or Drawing of these Knights and Monks of Ely on a wall, different from that whence the Writing or Parchment-Roll exhibited it; if that was his meaning in his former Description of it. And indeed he tells us in his *Church History*, Book 2. p. 169, that besides one which was depicted on the wall, or hung up against it, in the Common Hall or Refectory of the Convent at Ely, which hall was destroyed at the Dissolution, so that he could never have seen it there; there was another Transcript, as he calls it, of these Arms depicted on the wall of the Dean's Dining-room, which was lately extant, as he says: by which I conclude it was demolished in the Rebellious Times, and to which he alludes in his Answer to Dr. Heylyn: from which Drawing at the Deanery his Plate of Arms was taken; 'rather truly than neatly done, says he, out of desire to conform to the Original.' From whence we may judge that his was no slovenly or bad Copy: so that from that now at Ely, Dr. Fuller's and Mr. Blomefield's, which has all

the marks of originality, we may easily be enabled to examine the authenticity of Dr. Stukeley's account of it: who unluckily trips at the threshold, (no good omen,) in quoting this Picture: for at p. 121. of his *Palaeographia Britannica*, Number 2, he thus mistakes the Knight's Name and Office, *Lurginellus Dux Centum Bipenniferorum*; when in reality, as I well remember it myself, and agreeably to Mr. Blomefield's Copy, it should be *Lucarnassus Dux omnium Bipennorum, Chief of all the Halberdiers*; or as Fuller has it, Captain of the Billmen. As for every difference in each Copy, I shall not trouble myself or you about it, only marking the chief. At p. 123, Dr. Stukeley produces *Duchet Dux Architectorum*, with as little diffidence as if it was the real reading; whereas the smallest share of Heraldic skill, of which however much parade is made, would have informed him, that the Coat under this Knight belonged to the ancient Family of *Touchet*, which alone might have led him to the true spelling of the Bearer's Name: your Plate calls him *Dux Architenetum*, and Blomefield's *Architenentium*, which Fuller translates *Captain of the Bowmen*; but then surely it ought to have been *Arcutenentium*, as probably it might be in his Copy: indeed there is no great dependance upon the Readings of old Writings and MSS; however, Fuller's translation conveys to us his notion of the Officer; which is a very probable one: neither do I much conceive the use of a *Company of Architects* in an Expedition. At p. 123, Dr. Stukeley tells us *Alexander de Monte bore Gules, 3 Cheverons Or.* Fuller calls him *Monte-Vignite*, and the 2 others *Monte-Vigente* or *Viginte*: all which is no other than a false orthography for *Montefichet*, the old Barons of which Name actually gave for Coat Armour *Gules, 3 Cheverons Or.* as is evident from a curious MS of Heraldry in my possession, copied from the Original in the Library of King's College in Cambridge. In the same page, he miscalls from every other authority *Anthony de Longa Spata*, by the Name of *Aumarus*; a name in my opinion more probable; had it not been 3 against one; and one so apt to mistake. At p. 124. he very prudently drops the Office of *Blunt*, as there seemed to be some difficulty in it; saying only *Blundus Dux bore so and so*: in your Plate he is called *Navium militarium Dux*, Captain of a *Man of War*, or rather *Admiral of the Fleet*; which seems to be a reasonable Officer: what to make of Mr. Blomefield's *Manuum militarium Dux*, I know not, no more than of Fuller's *Captain General of Footmen*. The Arms doubtless are those of the *Blount* Family. In the same page Dr. Stukeley says that *Paganus le Lorain Equitum Signifer* bears *Barry of 8 pieces Ar. & Az*: the well-known Coat of the noble and numerous Family of *Grey*: which alone was sufficient,

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one would have thought, to have directed an able Antiquarian to the Bearer's Name, which was *Pagan le Graye*, according to your Plate and Mr. Blomefield's MS: although, it must be confessed, Dr. Fuller was modestly doubtful about the true Name; and did not at random put down any thing he thought proper, but thus cautiously worded it, *Pagan — Standerd-bearer of the Horsmen*. In the next page, 125, he says *Abrahamus de Pecam*, gave *Gules, a Fess between 2 Cheverons Argent*, the well-known Ordinaries of the old Barons *de Pechy*: accordingly he is so called in every other Authority: your Plate adjoins him *cum Ethelberto Eweri Monacho*; but as Blomefield and Fuller agree in *Ethelberto seniori*, it is most probable that is the true reading; though no other *Ethelbert* appears in the list; yet as there probably were many more Monks in the Convent at that time than these 40, who figure with their Knights by their side, that objection vanishes. At p. 126, he puts *Adanus* for *Adamus*, against the united authority of the 3 other Authors. He at the same page calls *Fides de Furnivallo, Fiden*. In your Plate it is *Lumbardo*, which no doubt should be *Lumbardus*, for the Arms belong to the Name of *Furnival*. At the same place he calls *Eustace le Noir, Eustachius le Nothus*, that is *Eustace the Bastard*; for which, if the good Knight was living, he might chance to be called before his Betters: the truth is, they were two Brothers or Kinsmen, as appears by the sameness of their Arms, but being of different complexions, to distinguish them asunder, the one was called *Eustace le Blanch*, or the *Fair*; while the other was distinguished by the appellation of *le Noir*, or the *Black*, or *Brown*: from which custom we have so many of the latter Name. At p. 127, he gives us, *Pigotus tertius filius Bodet*, for *Bigotus tertius filius Bigoti*, as in every other example; besides the notorious difference between the Arms of *Pigot* and *Bigot*. Immediately under this he makes this further mistake, *Bevalius Dux Militum versus Ely*, for *Bellasis Preses Militum versus Elye*; the Arms sufficiently intimating that they belonged to the Name of *Bellasis*, the famous General who gave his Name to the Works South of Aldreth Causey, still retaining the Name of *Bellisar's Hills*; though against every Authority Dr. Stukeley has given the honour of that Achievement to a Phantom of his own raising, a mere ideal or imaginary Person, who never was heard of before, in this manner, p. 129, *Urfois, Master of the Conqueror's Military engines, bore Argent, a Cross Sable; Ely Tablet; he repaired the Roman Camp South of Audrey Causey*. Why he chooses to call his Hero *Urfois*, instead of his true Name *Opsal* or *Opsalus*, I know not: sure I am, that the Family of *Opsall* bear the aforesaid Arms. In the next line he is guilty

of another misnomer, writing in this manner, *Pezrel Captain of 300 Foot, Gules, a Cross Flory Argent. Ely Tab.* Mr. Blomefield has it thus, *Paynell trecentorum peditum Preses*; which I take to be the exact reading, as the Arms of *Paynel* exactly correspond; and Fuller was not far short of the right Name when he wrote *Pamell*, the *i* and *n* being so closely joined together as might easily occasion his mistake. The reading in your Plate may very probably be according to the Tablet; but MSS and Transcripts from old Inscriptions must not always be depended on: there can be no doubt in this case, where the Arms of one of the first Knights of the Garter of the Name of *Paynel* corroborates Mr. Blomefield's authority. In the same page Dr. Stukeley thus carelessly mentions *Sewardus Anglus Prefectus*; whereas it stands thus in all the rest, *Sewardus Anglus Anone Prefectus*, whom Fuller therefore styles, *Victualer of the Camp*. But a greater oversight is at p. 132, *Talbotus 6 filius in legatione missus*, for *Talbotus sepius in legatis missus*, or as Fuller expresses it in English, *Talbote sent oftentimes Embassadour*. Neither do I think Dr. Stukeley is altogether exact, when he translates, at the same page, *Walterus de Lacy Scutifer Conquestoris*, by *Sword-bearer to the Conqueror*; when in reality he was *Shield-bearer*; probably at that time a very different Officer from the former. In the next Article he is still more unhappy in not knowing, or at least overlooking the Arms of the great Family of *Bigod Earls of Norfolk*, quartered at this time by the most Noble House of *Howard*, viz. *Per Pale Or. & Vert. a Lion rampant Gu.* very different from those of *Pigot*, for thus he mistakes that Legend, *Pigotus Equitum 300 Dux*, for *Bigotus &c.* In p. 133, he gives *Hastings Miles*, but goes no further: however, Fuller adds, *A Soldier skilful in Navigation*, and thereby sufficiently explains his profession and occupation, together with the difficulty in the reading in your Plate and Mr. Blomefield's Book, where it is *Hastyns Miles Navita peritus*, and in your's, *Nautic excersitus*. At p. 134, he curtails one half of the Knight's Name, according to all the authorities which I have seen; Blomefield calling him *Grosmanchus*, your Tablet *le Grosse Manchus*, et Fuller *le Grosmunus*; but as he could not well tell how to manage the 2 last syllables of the Name, whether it expressed the Bearer's Country, as *Dunstan le Grosse, of the Country of La Manche*; or expressed some other property or endowment of mind, or body; he thought best to shorten it, by writing only *Dunstan le Grosse*. But the highest piece of conjecture and guess-work is yet to come: for knowing that the Arms of *Mauleverer* were 3 Greyhounds, and seeing them under *Johannes de Eboraco amalo*, which he knew not what to make of, and at the same time,

time. I suppose, recollecting that in our old French Deeds and Writings, the City of York is always called *Everwick* or somewhat like it, he thought out of *Amalo* and *Everwick* the Name of *Mauleverer* might easily be deduced, according to the known rules of Etymology; whereas in good truth, no such word as *Amalo* is to be met with, but in his account of the Ely Table; for every other description of it, has it in this manner *Joānes de Eboraco, Anglus*; or as Fuller expresses it *John of Yorke, an Englishman*. But this is a slight fault to the next; he could not, it seems, read the Ely Tablet over the Arms of *Argentem*, viz. *Gules, 3 covered Cups Argent*, which he ignorantly calls *Salts*; although so great an Antiquary ought to have been acquainted with these Arms in a more especial manner, as the Bearer thereof the *Argentines* of *Cambridgeshire* held their Manor of *Wymondly* in *Hertfordshire* by Grand Serjeantry, as being the *King's Cup-Bearer*, whereof the Covered Cups in their Shield was an expressive Demonstration. But this is far from being the worst part of this Article; for rather than omit any one of the 40 Articles of the Table which he here undertakes to describe, he had rather, it should seem, give an utterly false one, than that the Number should be incomplete: for thus is this Article delivered to us '— *Scutatorum laxatorum. Gules, 3 Salts Or. Ely Ta.*'—when in fact the whole Article is a mere forgery; as may be seen by the real Inscription, *Argentien curā vulneratorum habet*, as in your engraved Table; from whence the Dr. pretends to take his Copy; and moreover by falsifying the Colour or Metal of the Cups from *Argent* to *Or*, destroys one part of the little merit in the Science he commends; as no doubt the Name of *Argentine* was alluded to in the *Argent* or Silver metal of the Cups in the Shield. In Mr. Blomefield's List it is, *Argentien curam habuit vulneratorum*; which Fuller has ridiculously enough translated, *Surgeon General*, taking, as it is reasonable to suppose, the 3 covered Cups, for so many *Gallipots* or *Boxes of Salve*. Not much more lucky was his guess in the next Article, which is *Pigotus Pontium Procurator*, or *Bridge-Master*, as Fuller has it; which is thus mangled by our Antiquary, *Pigotus*—*ilium Procurator*. The next Knight's Name is wholly omitted, which was *Ivo*; for thus Dr. Stukeley gives us this Legend, *Willus Comitis Warren Frater*, instead of, *Ivo Willmi Comitis Warrēn Frater*. But to do the Dr. justice, Fuller has made the same omission: however, as the one quotes the Ely Tablet all along for his authority, where the Name *Ivo* is yet to be seen, and wholly omits it; the same excuse will not do for the one, as for the other. Dr. Fuller has made a strange translation for one who knew so well the meaning of the word *Sacrista*, when he gives us this, *Eneas de*

Novo Burgo with Olane the holye Monk of the Monasterye, for *Sacristain* or *Sacrist* of the Monastery. Mr. Blomefield has it in this manner, *Eneas de Novo Burgo, cum Alano Cænobii Sacrista Monacho*; so that I think there can be no doubt but the Monk or Sacristain's Name in your engraved Table ought to be *Alano*. The last Article in Dr. Stukeley's account of this Tablet is conformable to the first, that is, utterly wrong: in the real Table is, *Nigellus de la Fontaundore*, which the Doctor has thus metamorphosed, *Nigellus de la Fontana, Ermine, 3 Lunets Sable*. But I think that sort of Crescent born in this Shield, is called by Herald's, *Increscent*: for I will not be positive about a thing I may be mistaken in, and do not pretend to know much of.

Heartily glad am I to have got to the end of this Fault-finding business: but a Person who has carried his abuse to such an excess as Dr. Stukeley has done against Messrs Blomefield and Parkins, in an argument which they understood as well as himself, deserves no better quarter than he has met with here; where much more might be objected to his enthusiastic and fanciful Dissertation on bearing Arms, in which he takes occasion to introduce the *Ely Tablet*, was one so disposed: and give me leave to finish this long Letter with this Observation, That I verily believe, notwithstanding the pretences to Heraldry, with the assistance of Mr. Wingfeild Bodenham's MSS, [See p. 105. of Pal. Brit.] no one person can be produced, in so few instances, to be guilty of so many egregious, capital and glaring mistakes.

NUMB. V.

Varia Cartæ Regis WILLIELMI CONQUESTORIS ANGLIÆ, de Libertatibus, et Consuetudinibus Ecclesiæ Eliensis.—E Lib. Elien. MS. lib. ii. cap. 117, &c. Et MS. Fol. notat. M. in Ædibus Dom. Episcopi Elien. Holbourn.

I.

WILLIELMUS *Anglorum* Rex, omnibus Fidelibus suis et Vicecomitibus in quorum vicecomitatibus Abbatia de *Ely* terras habet, Salutem. Precipio ut Abbatia de *Ely* habeat omnes consuetudines suas, scilicet, *Sacham* et *Socham*, *Tol* et *Team*, et *Infangenethf*, *Hamsocna*, et *Grithbriche*, *Fithwite*, et *Ferdwite*, infra burgum et extra, et omnes alias forisfacturas que emendabiles sunt in terra sua super suos homines; has, inquam, habeat sicut habuit die qua Rex *Ædwardus* fuit vivus et mortuus, et sicut mea iussione dirationate sunt apud *Kenteford* per plures Scyras ante meos Barones, videlicet, *Gaufridum Constanciensem* Episcopum, et *Baldewynum* Abbatem, et Abbatem *Ælfi*, et

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Wlfwoldum Abbatem, et Iwonem de Tailebois, et Petrum de Valoniis, et Picotum Vicecomitem, et Tielum de Helum, et Hugonem de Hosdeng, et Gocelinum de Norwic, et plures alios. Teste Rogero Bigot.

2.

Alia Carta ejusdem, de Possessionibus Ecclesie restituendis.

WILLIELMUS Rex Anglie, Lanfranco Archiepiscopo, et R. Comiti Moritonii, et Gaufrido Constanciensi Episcopo, Salutem. Mando vobis et precipio ut iterum faciatis congregari omnes Scyras que interfuerunt placito habito de terris Ecclesie de Ely antequam mea Conjux in Normanniam novissime veniret; cum quibus etiam sint de Baronibus meis qui competenter adesse poterint, et predicto placito interfuerunt, et qui terras ejusdem Ecclesie tenent; quibus in unum congregatis, eligantur plures de illis Anglis, qui sciunt quomodo terre jacebant prefate Ecclesie, die qua Rex *Ædwardus* obiit; et quod inde dixerint ibidem jurando testentur. Quo facto, restituantur Ecclesie terre que in dominio suo erant die obitus *Ædwardi*, exceptis his quas homines clamabant me sibi dedisse; illas vero litteris mihi signate que sint, et qui eas tenent. Qui autem tenent Theinlandes, que proculdubio debent teneri de Ecclesia, faciant concordiam cum Abbate quam meliorem poterint, et si noluerint, terre remaneant ad Ecclesiam. Hoc quoque detinentibus Socam et Sacam fiat. Denique precipite ut illi homines faciant pontem de Ely, qui meo precepto et dispositione hucusque illum soliti sunt facere.

3.

Alia Carta ejusdem Regis.

WILLIELMUS Rex Anglorum, Gosfrido Episcopo et Rodberto Comiti Moritonio, Salutem. Facite simul venire omnes illos qui terras tenent de dominico victu Ecclesie de Ely; et volo ut Ecclesia eas habeat sicut habebat die qua *Ædwardus* Rex fuit vivus et mortuus; et si aliquis dixerit quod inde de meo dono aliquid habeat, mandate mihi magnitudinem terre, et quomodo eam reclamat, et Ego secundum quod audiero, aut ei inde escambitionem reddam, aut aliud faciam. Facite etiam ut *Symeon* habeat omnes consuetudines que ad Abbatiam de Ely pertinent, sicut eas habebat Antecessor ejus tempore Regis *Ædwardi*. Preterea facite ut Abbas factus sit de illis Theinlandes que ad Abbatiam pertinebant die quo R. *Æ.* fuit mortuus, si illi qui eas habent secum concordare noluerint. Et ad istud placitum submonete *Will. de Guarennam* et *Ricardum* filium Comitis *Gileberti*, et *Hugonem* de Monte

forti, et *Gaufridum* de Manna villa, et *Radulfum* de Belfou, et *Herveum* Bituricensem, et *Harduvinum* de Escalers, et alios quos Abbas vobis nominabit.

4.

Alia Carta ejusdem.

WILLIELMUS Rex Anglorum, Lanfranco Archiepiscopo et Gosfrido Constanciensi Episcopo, Salutem. Facite Abbatem de Ely resaisiari de istis terris quas isti tenent, *Hugo* de Monte forti unum Manerium nomine *Bercham*, *Ricardus* filius Comitis *Gileberti*, *Brochesened*; *Picot* Vicecomes, *Impintunam*; *Hugo* de *Bernerui* 3 Hidas, *Remigius* Episcopus 1 Hidas, Episcopus *Baiocensis* 3 Hidas, *Frodo* frater Abbatis 1 Manerium, Duo *Carpentarii* 1 Hidas et 3 V; Si ipse Abbas poterit ostendere supradictas terras esse de dominio sue Ecclesie, et si supradicti homines non poterint ostendere, ut eas terras habuissent de dono meo; facite etiam quod Abbas predictus habeat Sacam et Socam, et alias consuetudines, sicut antecessor ejus habuit, die qua Rex *Ædwardus* fuit vivus et mortuus.

5.

Carta alia ejusdem, de Quinque Hundredis in SUTHFOLC.

WILLIELMUS Rex Anglorum, Lanfranco Archiepiscopo, Gosfrido Constanciensi Episcopo, et Rodberto Com. de Moritonio, Salutem. Facite *Symeonem* Abbatem habere Sacam et Socam suam, prout suus Antecessor habuit T. R. *Æ.* videlicet, de Quinque Hundrez de Suthfolc, et ab omnibus viris qui terras tenent in illis Hundrez. Videte ne Abbas predictus quicquam injuste perdat; et facite ut omnia sua cum magno honore teneat.

6.

Prohibitum Regis ne Episcopus LINCOLNIENSIS, aut Secularis Justicia, novas consuetudines intra INSULAM requirant.

WILLIELMUS Rex Anglorum, Lanfranco Archiepiscopo, et Gosfrido Episcopo, et Rodberto Comiti de Moritonio, Salutem. Defendite ne *Remigius* Episcopus novas consuetudines requirat infra Insulam de Ely. Nolo enim ut ibi habeat nisi illud quod antecessor ejus habuit T. R. *Æ.* scilicet, qua die ipse Rex mortuus est. Et si *Remigius* Episcopus inde placitare voluerit, placitet inde sicut fecisset T. R. *Æ.* Et placitum istud sit in vestra presentia. De custodia de *Norewic* Abbatem *Symeonem* quietum esse dimittite, sed ibi munitionem suam conduci faciat et custodiri. Facite remanere placitum de terris quas calumpniantur *Willielmus* de Ou, et *Radulfus* filius *Gualeranni*, et *Rodbertus* Gernun, si

si inde placitare voluerint, sicut inde placitassent T.R.Æ. et sicut in eodem tempore Abbatia consuetudines suas habebat. Volo ut eas omnino faciatis habere, sicut Abbas per Cartas suas, et per testes suos eas deplacitare poterit.

7.

Præceptum Regis quod Abbas de ELY benedicatur secundum usum Ecclesiæ, et quod possessiones loci describentur.

WILLIELMUS Rex Anglorum, Lanfranco Archiepiscopo, Salutem. Volo ut videas Cartas Abbatis de Ely, et si dicunt quod Abbas ejusdem loci debeat benedici ubicumque Rex illius terre precipiet, mando ut eum ipse benedicas. Preterea fac ut illi faciant Pontem de Ely sine excusatione qui eum soliti sunt facere. Inquire per Episcopum Constanciensem et per Episcopum Walchelinum, et per ceteros qui terras Sancte Ætheldrede scribi et jurare [f. jurari] fecerunt, quomodo jurate fuerunt, et qui eas juraverunt, et qui jurationem audierunt, et que sunt terre, et quante, et quot, et quomodo vocate, et qui eas tenent. His distincte notatis et scriptis, fac ut cito inde rei veritatem per breve tuum sciam, et cum eo veniat legatus Abbatis.

8.

Præceptum Regis quod consuetudines pristinae de libertate Ecclesiæ illibatae serventur.

WILLIELMUS Rex Anglorum, Lanfranco Archiepiscopo et Gosfrido Constanciarum Episcopo, atque Rodberto Comiti, Salutem. Mando vobis ut Abbatem de Ely sine dilatione habere faciatis benedictionem, et terras suas, atque omnes consuetudines, ut vobis sepe per brevia mea mandavi; et quicquid ipse per placitum de dominio adquisierit, nil cuiquam inde tribuat nisi mea licentia, et se de placitorum ei facite rectum, defendentes ut nullus ejus incidat silvas, munitionemque suam habeat in Norwico, et homines sui ibi sint cum opus fuerit, omniaque sua cum honore habeat. Teste Rogero de Lureio.

9.

Aliud ejusdem Regis Præceptum.

WILLIELMUS Rex Anglorum, Lanfranco Archiepiscopo, et Gosfrido, Salutem. Volo ut consecratio Abbatis de Ely, quam Remigius Episcopus requirit, remaneat, donec per litteras tuas cognoscam si Remigius monstravit vel monstrare poterit, quod antecessores sui Abbates de Ely consecrassent. Quod ad Christianitatem pertinet in illa Abbatia fiat: et consuetudines pro quibus Remigius vinum requirit, ipse habeat, si monstrare poterit antecessores ejus habuisse T.R.Æ. Molendinum de Grantebruge quod Picotus fecit destruat, si alterum disturbat. De

dominiciis terris Sancte Ætheldrede sit Abbas factus, sicut alia vice precepi; qui alteras terras tenent, vel Socam vel Sacam, de Abbate recognoscant et deserviant; aut eas dimittant.

NUMB. VI.

Epistolæ variæ, de Mutatione Cænobii ELIENSIS in Episcopatum.

I.

Epistola ANSELMI Cantuar. Archiepiscopi ad Papam PASCHALEM II. A.D. 1108. — Ex Eadmeri Hist. Nov. Lib. 4. pag. 96.

DOMINO et Patri Reverendo Paschali Summo Pontifici, Anselmus Ecclesiæ Cantuariensis, debitam obedientiam, cum fideli obsequio et orationibus. Quoniam robur dispositionum, quæ utiliter fiunt, in Ecclesia Dei, de vestra pendet autoritate prudentiæ quando fiunt, et ad vestram referendæ sunt notitiam et judicium, ut, cum Apostolico assensu fuerint confirmatæ, nulla præsumptione a posteris, quæ salubriter statuta sunt, queant violari, sed rata permaneant in perpetuum. In Anglia est quidam Episcopatus, scilicet Lincolniensis, cujus Diocæsis tam ampla est, ut ad ea quæ non nisi ab Episcopali persona fieri queunt, unus Episcopus plene sufficere non possit. Quod cum consideraret Rex, et Episcopi, et Principes, et alii rationabiles et religiosi viri Regni Anglorum; ad utilitatem Ecclesiæ visum consilium est, Episcopatum præfatum in duos dividere; ita ut Sedes Episcopalis in quadam Abbatia quæ sita est in Insula vocata Heli, et est intra præfatam Diocæsim, constituitur, Monachis ibidem permanentibus, sicut sunt multi Episcopatus qui Monachos in matre Ecclesia habent, non Canonicos. Quod libenter concedit Episcopus Lincolniensis Robertus nomine, quia pro iis quæ assumuntur de sua Ecclesia ad instaurandum novum Episcopatum in Heli, tantum Ecclesiæ Lincolniensi restauratur, ut ipse sufficiens et gratum sibi esse fateatur. Cui rei mihi tum propter prædictam necessitatem, tum propter multitudinem prædictorum qui in hoc consentiunt, visum est ut, salva vestra autoritate, in perpetuum roboretur, ne a posteris ulla præsumptione, quod bene statutum fuerit, violetur. Oramus Dominum Omnipotentem, ut Ecclesiæ suæ vos in diuturna prosperitate custodiat.

2.

Epistola PASCHALIS II. Papæ ad Regem HENRICUM I.—E. Lib. Elien. MS. lib. iii. cap. 2.

PASCHALIS Episcopus Servus Servorum Dei, dilecto in Christo Filio Henrico glorioso Regi Anglorum, Salutem et Apostolicam Benedi-

* B 2

di-

dictionem. Omnipotenti Deo gratias agimus, quod talem te nostris temporibus constituit; qui et terrenum regnum sapienter ad honorem Dei gubernas et eterni Regis sollicitudinem ante oculos portas. Postulasti siquidem a Nobis per litteras, ut in loco qui *Ely* dicitur novus ex Apostolica auctoritate Episcopatus constituatur; quia *Lincolniensem* Episcopatum tante magnitudinis esse dixisti, ut ad peragenda ea que Episcopalis sunt officii, unus Episcopus nullatenus sufficere possit; pro quo et devotionem tue voluntatis laudamus, et dispositioni assensum prebemus; ita tamen ut in celebri loco constituatur, ne Nomen Episcopi, quod absit, vilescat. Ad hoc enim Episcopus constituitur, ut populum Dei et verbo doceat, et vita informet, et ad verum Pastorem Dominum commissarum sibi animarum lucra reportet. In aliis quoque de quibus rogasti, licet quedam ibi inordinata videantur, tue tamen voluntati refragari nequaquam valemus. Novit preterea Gloria vestra Dominum *Herveum* Episcopum, quem vita et scientia commendat non modica, nimia barbarorum ferocia et persecutione de Sede sua expulsum, et multa fidelium fratrumque suorum cede fuisse fugatum; cujus ut Scientia fructum qui non perit afferre, et Vita bonum valeat Dei populo exemplum prebere, volumus et rogamus, ut si qua eum apud vos vacans ecclesia vocaverit, ibi ex auctoritate Apostolica constituatur; ne infructuoso diu silentio torpeat, qui vite celestis documenta in scientia et moribus portat. Omnipotens Deus Apostolorum suorum precibus et vos et prolem vestram custodiat, et celeste post terrenum Vobis regnum concedat. Data XI. Kal. Decembris.

3.

Epistola PASCHALIS II. Papæ, ad Regem HENRICUM I.—E. Lib. Elien. MS. lib. iii. cap. 3.

PASCHALIS Episcopus, Servus Servorum Dei, Dilecto filio *Henrico* glorioso Regi *Anglorum*, Salutem et Apostolicam benedictionem. Dulcissime Nobis dilectionis tue litteras recepimus, affectionis quam erga beatum *Petrum* et Nos ejus famulos geris dulcedinem ostendentes. De quibus satis gavisi sumus, quia in terreni Regis corde patrie celestis amorem cognoscimus. Ideoque tanto tuis libentius et facilius petitionibus assensum prebemus, quanto te certius que celesti Regi placeant expetere comperimus. Ad causam autem illam quam secrete affectio vestra nobis intimare curavit, studium quantum poterimus adhibere curavimus. In omnibus etiam in quibuscumque poterimus, ad honorem Dei et Glorie tue excellentiam et exaltationem, libenter querimus. De excambio preterea illo de quo Nos per fratres nostros *Herveum* Episcopum et *Petrum* Camerarium tua rogavit dilectio, si ad utilitatem Ecclesie sicut mandasti fieri poterit,

tuis petitionibus assensum prebemus. Eundem Fratrem *Herveum* Episcopum, quem tibi dilectum cognovimus, glorie tue attentius commendamus.

4.

Epistola PASCHALIS II. Papæ ad ANSELMUM Archiepiscopum.—E. Lib. Elien. MS. lib. iii. cap. 4.

PASCHALIS Episcopus, Servus Servorum Dei, Venerabili fratri *Anselmo Cantuariensi* Archiepiscopo, Salutem et Apostolicam benedictionem. Novit fraternitas tua quod sicut ex Apostolica sententia perpenditur, Omnis pontifex ex hominibus assumptus, pro hominibus in his que ad Deum sunt, constituitur. Frater vester iste *Herveus* quem vita et scientia commendat, ob barbarorum immanitatem quam in fratres ejus et alios Christianos crudeliter exercuerunt, in ecclesia in qua constitutus est Episcopale officium adimplere non potuit. Ne igitur officium sibi injunctum infructuosum remaneat, Dilectioni tue mandamus, rogantes ut ei attentius provideas. Et si qua apud vos vacans ecclesia eum vocaverit, ex Apostolice Sedis auctoritate in ea eum constituas, quatinus ibi Deo servire et Episcopale officium, Domino largiente, adimplere valeat, ne infructuoso silentio diu torpeat, qui vite celestis documenta in scientia et moribus portat. Interim autem in omnibus eum commendatum habeas; satis enim strenue et fideliter se apud Nos in causis vestris studiosum exhibuit. Fraternitatem tuam incolumem per multa tempora Virtus divina custodiat. Data XI. Kal. Decembris.

5.

Epistola PASCHALIS Papæ II. ad ANSELMUM Archiepiscopum, et comprovinciales Episcopos.—E. Lib. Elien. MS. lib. iii. cap. 5.—Et e MS. Fol. notat. M. in *Ædibus Dom. Episcopi Elien. Holbourn.*

PASCHALIS Episcopus, Servus Servorum Dei, Venerabili fratri *Anselmo Cantuariensi* Archiepiscopo, et ceteris comprovincialibus Episcopis, Salutem et Apostolicam benedictionem. Inter cetera regna terrarum ad Apostolice Sedis dilectionem atque obedientiam *Anglorum* regnum specialiter pertinere, Apostolice Sedis Scripta, et *Anglicarum* Hystoriarum series manifestant. Que nimirum causa sollicitudinem nostram propensius impellit illius regni ecclesias familiaris confovere, et earum dispositionibus sollicitius invigilare. *Lincolniensem* itaque Episcopatum tantum tamque spaciosum ex filii nostri Regis vestrisque literis agnovimus, ut ad ea que Episcopalis sunt officii peragenda unus nullatenus sufficere possit Episcopus. Quapropter ex voluntate *Lincolniensis* Episcopi postulat a Nobis idem karissimus filius noster

noster et Christianissimus Rex *Anglorum Henricus*, quatinus in parte una Episcopatus ipsius, ex Apostolice Sedis permissione, novus Episcopatus constituatur, in loco videlicet qui *Ely* vocatur. Cujus Nos petitionibus, quia religiose videbantur, assensum libenter prebuimus, et Episcopatum in loco prefato constituendi ex Apostolica auctoritate licentiam damus; Statuentes ut Sedes Episcopalis in loco predicto constituta, omni deinceps tempore perseveret. Parrochiam quoque, quam vestra fraternitas, cum predicto fratre *Lincolniensi* Episcopo, et Regis providentia eidem Episcopatu designaverit, perpetuo possideat. Porro de Monasterio in quo Sedes Episcopalis constituitur, *Anglicorum* Monasteriorum in quibus Episcopi constituti sunt consuetudo servabitur. Hujus Constitutionis conservatores Omnipotentis Dei et Apostolorum suorum benedictione perpetuo perfruantur. Amen.* Ego *Paschalis* Catholice Ecclesie Episcopus. Data apud *Troiam*, per manum *Leonis Roman.* Ecclesie Diaconi Cardinalis, 11 Kal. Decembris, Indictione prima, Anno Dominice Incarnationis Millesimo Centesimo Octavo, Pontificatus autem Domini *Paschalis* II. Pape Anno X.

* *Hinc ad finem, E solo MS. M. Dom. Episcopi Elien. Holbourn.*

NUMB. VII.

Carta Regis HENRICI, quomodo Abbatiam de Ely in Episcopatum transmavit. — E Lib. Elien. MS. lib. iii. cap. 6.

IN nomine Sancte et Individue Trinitatis, Patris et Filii et Spiritus Sancti. Anno Incarnationis Dominice M. c. viii, Indictione, Anno vero Pontificatus Domini *Paschalis* Pape ii, decimo; Regni quoque mei similiter decimo. Ego *HENRICUS* providente divina clementia Rex *Anglorum*, et *Normannorum* Dux, *Willielmi* Magni Regis filius, qui *Edwardo* Regi hereditario jure successit in regnum; Videns paucos, et ob hoc plurimum laborantes in messe, et in ipsa *Lincolniensem* Ecclesiam multa plebe fecundam; ex auctoritate et consilio predicti Pape *Paschalis*, et assensu simul et prece *Rodberti Lincolniensis* Episcopi, qui tunc ecclesie predictae presidebat, et totius Capituli sui cum ipso, annuente Domino *Anselmo* beate memorie *Cantuariensi* Archiepiscopo, et *Thoma* ii. venerabili *Eboracensem* Archiepiscopo, et universis Episcopis et Abbatibus totius *Anglie*, sed et omnibus Ducibus, Comitibus et Principibus regni mei; *Eliense* Monasterium, in quo quidem usque in tempora mea Abbates presuerant, cum *Cantebrigien* provincia, quantum videlicet ad jus *Lincolniensis* Ecclesie pertinebat, cum Abbatibus duabus, *Thorneia* videlicet et *Cateriht*, in Episcopalem Sedem, sicut et ceteros Episcopatus Regni mei, liberam et

absolutam perenniter Statuo et Confirmo. Et pro subjectione et omnibus Episcopalibus consuetudinibus ad supradictam *Lincolniensem* Ecclesiam pertinentibus absolvendis, consilio et assensu predicti Pape *Paschalis*, de beneficiis ejusdem Monasterii, Villam nomine *Spaldewic* cum appendiciis suis, que in territorio *Huntendonie* sita est, cum omnibus consuetudinibus ad villam predictam pertinentibus, supradicte *Lincolniensis* Ecclesie, et *Rodberto* ejusdem Sedis Episcopo, et Successoribus suis, sicut eam unquam *Eliense* Monasterium liberius et quietius tenuit, jure perpetuo tradidi possidenda. Primum siquidem *Lundoniis* apud *Westmonasterium* in solemnitate Pentecostes de negotio isto in presentia mea coram felicis memorie *Anselmo* Archiepiscopo, et universis Episcopis, et Abbatibus, et Proceribus regni mei, tractatum est, et eorum omnium communis assensus est favorabiliter consecutus. Post mortem vero predicti Pontificis *Anselmi*, ex auctoritate Domini Pape *Paschalis*, sicut jam supradictum est, in Concilio apud *Castrum Notingham* habito, in Die Translationis Beate *Etheldrede* Virginis Sedis ejusdem, feliciter per misericordiam Dei et terminatum est et definitum, xvi. Kal. Novembris; [* faventibus et subscribentibus iis quorum annotata sunt hic tam Signa quam Nomina.

Ego <i>Mathildis Anglorum</i> Regina subscripsi	†
Ego <i>Mathildis</i> Sponsa Regis <i>Romani</i>	†
Signum <i>Hervei Eliensis</i> Episcopi primi	†
Signum <i>Rogerii</i> Episcopi <i>Salisburyensis</i>	†
Signum <i>Ranulphi</i> Cancellarii	†
Signum <i>Richardi Baiocensis</i> Episcopi	†
Signum <i>Herberti Norwicensis</i> Episcopi	†
Signum <i>Reinelmii Herefordensis</i> Episcopi	†
Signum <i>Radulphi Rosensis</i> Episcopi	†
Signum <i>Richardi Londonensis</i> Episcopi	†
Signum <i>Roberti Cestrensis</i> Episcopi	†
Signum <i>Willielmi Exoniensis</i> Episcopi	†
Signum <i>Ranulphi Dunelmensis</i> Episcopi	†
Signum <i>Roberti Lincolniensis</i> Episcopi	†
Signum <i>Roberti</i> Comitis de <i>Mellento</i>	†
Signum <i>Willielmi</i> Comitis de <i>Warrenna</i>	†
Signum <i>Simonis</i> Comitis	†
Signum <i>Stephani</i> de <i>Albamara</i>	†
Signum <i>Rogeri</i> Comitis <i>Pictavensis</i>	†
Signum <i>Gilberti</i> de <i>Aquila</i>	†
Signum <i>Willielmi</i> de <i>Albini</i>	†
Signum <i>Nigelli</i> de <i>Albini</i>	†

* The original Charter is said to have been extant in the year 1640; as is noted in the *Monasticon Anglicanum*, Vol. I. pag. 95. — and from thence the Subscriptions to this Charter are added.

NUMB.

NUMB. VIII.

A Dissertation on the foregoing Charter of King HENRY I. and a Defence of it, against the Objections made to it by Mr. Selden and Mr. Wharton.

MR. Selden was the first that intimated his suspicion of this Charter, and made several objections against it to prove it spurious: [Seldeni in Eadmerum Notæ et Spicilegium. pag. 212.] in which he was followed by Mr. Wharton, [Angl. Sacr. vol. i. pag. 678. Note a.] who not only adopts the same suspicion and objections; but also charges the Monks of Ely with forging it. But as I am fully persuaded that it is genuine, I shall give my reasons for it, and take the liberty of enquiring and examining, whether the objections made against it, are well founded, or not.

The principal objection of Mr. Selden, is to the Date of it, which is in these words; "Anno Incarnationis Dominice 1108, Indictione, Anno vero Pontificatus Domini Paschalis Pape ii, decimo; regni quoque mei similiter decimo." On which Mr. Selden observes, "That Anselm died 11 Kal. of May A.D. 1109; — but in this Charter which carries the Date of the year 1108, Anselm is mentioned as dead. Besides (says he) the year 1108, is called the 10th year of King Henry; whereas it could at most be no more than the 9th year of his reign." — Mr. Wharton adds nothing new against the Charter, but only puts Mr. Selden's objections in other words. "The times (says he) fixed in the Charter are incompatible; for the 10th year of King Henry I. begins August 2. 1109; nor can it be said that 1109 ought to be substituted for 1108, because the 10th year of Pope Paschal ended August 14, 1109." — To these objections, it would be easy to add many more of the same kind against the Charter, equally strong and conclusive, but overlooked both by Mr. Selden and Mr. Wharton; — for instance, Thomas II, Archbishop of York, is said to have been one of those who were consenting to this Charter for erecting the See of Ely; whereas it is evident from undoubted authority, that he was not consecrated before the 4th of the Kal. of July 1109; and consequently could not be Archbishop before that time; — besides, Hervey himself was one of the Bishops who assisted at his Consecration, and was then styled only Bishop of Bangor; which evidently shows, he was not translated to Ely at that time. — These, it must be confessed, are apparent solecisms in Chronology, and most gross Antichronisms, as Mr. Selden calls them; — Supposing that all those several characters in the Date, were intended to express one and the same year, namely, 1108; — for the 10th year of Pope Paschal, and the 10th year of K. Henry I. are un-

doubtedly the two different years, 1108, and 1109. — But the mistake, I conceive, is in Mr. Selden, in supposing all those four characters were designed to denote one and the same year; — for had he examined the contents of the Charter with his usual exactness, he must have found, that what is ascribed to the Pope, that is, his giving his *Fiat*, perfectly agrees with the former part of the Date, under these several marks, viz. A.D. 1108, the 1st year of Indiction,* and the 10th year of his Pontificate; — but what is ascribed to the King, which is his finishing the business, and giving the Charter, was in the 10th year of his reign, i. e. the year of our Lord 1109. As I shall now endeavour to prove.

I must own, on first reading over the Charter with Mr. Selden's observations upon it, I was in some doubt about it, and rather inclined to think it spurious; both from the manifest inconsistencies in the Date, when applied to the same year, and likewise from the authority of a person of such distinguished abilities in criticism as Mr. Selden. However, on finding that two distinct years were expressed in the Date of the Charter, and that the transactions mention'd in the Charter, severally and with great exactness corresponded with those two years; I could not but acquit the Monks of forgery, laid to their charge by Mr. Wharton; even though he had Mr. Selden's opinion to vouch for it.

There is certainly a want of perspicuity in the Date of this Charter; otherwise it could never have been so greatly mistaken: but the mistake, I imagine, arose on seeing the several chronological marks of two separate years blended together, without proper distinction; and taking it for granted, that they were all to be applied to one year. An almost similar instance of inaccuracy may be seen in the Date of K. William the Conqueror's Foundation Charter of the Collegiate Church of St. Martin Le Grand, London, [Monast. Angl. vol. iii. versus finem, inter Ecclesias Collegiat. pag. 27.] expressed in these terms; "Scripta est hæc Cartula Anno ab Incarnatione Domini MLXVIII, scilicet, 2do anno regni mei; peracta vero est hæc donatio Die Natalis Domini, et postquam in die Pentecostes confirmata, quando Mathilda, Conjux

* The Era of Indiction, is a Cycle of 15 years; and is usually expressed by Indictio 1^{ma}, 2^{da}, &c. or, Indictionis annus 1^{mus}, 2^{dus}, &c. And in the printed Copies of this Charter given us by Mr. Selden and Mr. Wharton, a blank space is left after the word Indictione, . . . as if some figure was omitted; but in all the ancient MS Copies that I have seen, (and I have seen several,) Indictione stands alone, without either a figure or blank space after it; and is, I apprehend to be understood absolutely, for the First year of Indiction. And to support this explanation, the Reader may see another instance of it in a Charter of King Cedwalla to Aldelm Abbot of Malmesbury, thus Dated, "Scripta autem est hæc Munificentia, Indictione, Anno ab Incarnatione Domini 688." which was also the First year of Indiction. See Angl. Sacr. vol. ii. pag. 11.

'mea in Basilica S. Petri Westmonasterii in Reginam divino nutu est consecrata.' *i. e.* "This Charter was wrote in the year of the Incarnation of our Lord 1068. namely, in the 2d year of my reign; but this donation was made on the day of the Nativity of our Lord, [preceeding, *i. e.* 1067;] And afterwards confirmed on the day of Pentecost, when *Mathilda* my Wife was by the divine favour consecrated Queen in the Church of St. Peter at *Westminster*," [which was in the year 1068.]—So in respect to our *Ely* Charter, it was thought necessary to refer to the Council held at *London* in Whitsuntide A. D. 1108, when the affair was first moved, and there approved of;—and likewise to the Pope's assent, which was obtained the same year in the Month of November;—and lastly to the King's Confirmation, when the business was finally concluded, and signed in form, by the Queen of *England*, the Queen of the *Romans*, the Bishops, and Nobles then present, at the Council held at *Nottingham* in October A. D. 1109.—The Date, it is true, might have been more accurately expressed; but as it now stands in the Charter, is surely susceptible of a very consistent solution, and agrees perfectly with the contents of the Charter to which it is prefixed. If any doubt still remains with the reader, how he is to understand the Date of this Charter;—perhaps it will appear plainer to him, to have before him a translation of it, with the addition of a few words, by way of paraphrase, which shall be included in crotchets. 'In the Name of the 'holy and undivided Trinity, the Father, and 'the Son, and the Holy Spirit.' [The matters herein after related, were transacted,] 'In the 'year of our Lord's Incarnation 1108, in the '[first year of] Indiction, and in the 10th year 'of the Pontificate of [our] Lord Pope *Paschal* 'the 2d; and likewise in the 10th year of my 'reign.'—On reading a Date expressed in those terms; could any one doubt, but that the transactions related in the Charter, to which it was prefixed, were partly done in the year 1108, and partly done and finished in the 10th year of the King, *i. e.* A. D. 1109?—especially if on perusal of them, it plainly appears to be so in fact?

Though I have hitherto considered those several designations of time expressed in the beginning of this Charter, as the Date of it; and in compliance with Mr. *Selden* and Mr. *Wharton*, have called it so;—yet I beg leave to observe, that if by the Date of any Instrument, we are to understand the time and place expressed, when and where it passed, or was signed;—then it is really not the Date of this Charter.—The Date properly speaking is at the end of it, in these words, 'Post mortem—*Anselmi*—in 'Concilio apud *Castrum Notingham* habito, in 'die Translationis Beate *Etheldrede* Virginis— 'xvi. Kal. Novembris.'—Which sufficiently de-

notes the year, and determines it to have been 1109, *i. e.* the 10th year of the King:—besides, the Princess *Matilda* the King's Daughter, subscribes to the Charter under this Title, 'Ego 'Mathildis sponsa Regis Rom.' which Title did not belong to her, till about Midsummer 1109, when she was espoused to the Emperor. To obviate any doubt that may arise, whether indeed there was any Council held at *Nottingham* that year; (of which I do not find any mention made in the Historians of that time;) we have not only this Charter to produce in evidence for it; but also another of the same King to *Ranulf* Bishop of *Durham*, among the *Harleian* MSS. in the *British Museum* [N^o. 258. sect. 20.—See also an Abstract of it, in *Monast. Angl.* vol. ii. pag. 845.] in which the King styles himself, 'Filius Magni Regis *Willielmi*, qui beatæ memoriæ 'Regi *Edwardo* successit;' which is almost the same style as he uses in the *Ely* Charter; and the Date of it is in these words: 'Hæc Donatio 'facta est Anno ab incarnatione Domini MCIX, 'in Concilio totius Angliæ apud *Nottingham*; *Thomas* Archbishop of *York* is the first who subscribes to it; and among the rest are *Richard* Bp. of *London*, *Robert* Bp. of *Chester*, *Herbert* Bp. of *Norwich*, *Hervey* Bp. of *Ely*, *Robert* Earl of *Mellent*, *William* Earl of *Warren*, and *Gilbert de Aquila*,—seven witnesses, who also subscribed to the *Ely* Charter.

It appears then that the Charter for the erection of the See of *Ely*, carries with it the strongest marks of genuineness that can be required;—and that it was given by the King in a Council held at *Nottingham*, in the year of our Lord 1109; and therefore the Monk must be acquitted of the charge of forging it, and is guilty only of an error in judgment, in placing the erection of the See of *Ely* in the year 1108;—an error the more pardonable in him, as Mr. *Selden* himself fell into the like error of mistaking the Date of this Charter: the only difference between them is this; Mr. *Selden* being convinced that the See of *Ely* was not erected till the year 1109;—and finding a Charter that seems to fix it to the year 1108; concludes it to be a spurious Charter:—the Monk having the same Charter before him, though he was of opinion, that 1109, was the true year; yet relying more on the authority of the Charter, than his own judgment, fixes it to the year 1108.—Both of them were mistaken, but drew different conclusions from their mistakes; the one concludes the Charter spurious; the other distrusts his own judgment, and therefore fixes on a wrong year.—For that the Monk was led into this error by a view of this Charter, appears by his own words which introduce the Charter; he tells us, [Lib. Elien. lib. iii. c. 5.] 'After the Pope 'had given his consent to the erection of the See 'of *Ely*,' (which was without doubt in 1108,)

Hervey

Hervey set out on his return to *England*, and delivered the Pope's Letters to the King, and to the Archbishop, and obtained their consent; (he then adds) 'and in the following year finished the whole business, viz. in the year of our Lord 1108.' — He should have said, in the year 1109, for that was the following year. — So that it is plain, in settling his chronology, the Monk was in a right track, which would have led him, had he pursued it, to the year 1109; — but seeing the Charter carried in the front of it 1108, and mistaking it for the Date of it, he stops short, and puts it down as such, without further enquiry.

But there is another objection Mr. *Selden* makes to the Charter; he thinks, the style of it is different from others made in that Age. — No one perhaps was a better judge of the forms and style of ancient Charters than Mr. *Selden*: and yet if one should make a judgment of this Charter, by comparing it with others about the same Age; (many of which may be found in the *Monasticon*, and other Collections;) allowing also for the difference of occasions, and other concomitant circumstances; it would be difficult, I believe, to point out any remarkable peculiarities in this; or to show how it differs from those generally in use, more than they do from one another. There is indeed one word, and only one that Mr. *Selden* objects to, and that is the Title of *Duces*, there used with *Comites* and *Principes*, to express the Temporal Nobility, as distinguished from the Spiritual. — I must own, the Title of *Duces*, as a distinct Title among the Nobility is, as far as I can learn, unusual in that Age; however, the word *Dux* occurs as a general Title of the Temporal Nobility, and is used in that sense by *Malmesbury* one of the best Writers in that reign. [*Anglia facta est exterrorum habitatio, et alienigenarum dominatio; nullus hodie Anglus Dux, vel Pontifex, vel Abbas, &c.* *Malmesb. de Reg. Angl.* pag. 93.] Mr. *Selden* rightly observes, the Title of *Duces* came into disuse at the time of the Conquest, and was not revived as a distinct Title of honour, till the reign of *Edward III.* Nevertheless, I am fully persuaded, if Mr. *Selden* had not first of all been prepossessed with an opinion, that the Charter was spurious, from the seeming inconsistency he thought he had discovered in the Date of it; he would never have made any objection to the Charter merely on that account; he would rather have doubted, whether *Duces* had not been mistaken for some other word by the Transcriber; or, if it had been found in the Original, he would have noted the peculiar acceptance of the word in that place; or, he might have understood it as a general term to express the Temporal Nobility, explained by the following Titles of *Comites* and *Principes*; as thus, the *Duces Regni* the leading Men, in the same sense as *Magnates* is used, which includes the *Comites* and *Principes* of the Kingdom.

Mr. *Wharton's* objections against this Charter, are the same with those above, and indeed are taken from Mr. *Selden*, without the addition of any thing new against it; and therefore will not require a distinct consideration. But Mr. *Selden* having intimated his suspicion of the Charter, on account of the inconsistency he thought he had discovered in the Date of it; Mr. *Wharton* takes the hint, and without further examination, charges the Monks of *Ely* with forging the Charter; and not only that, but the Letters too, which are said to have been wrote on the occasion by Pope *Paschal* to the King, and Archbishop *Anselm*. And indeed if the charge of forgery against the Monks, with respect to the Charter, had been made good, there might have been some reason to suspect the Letters too, unless they appear to be supported by better authority. But let us hear Mr. *Wharton's* charge; he says, 'The Monks of *Ely* being persuaded that the Bishoprick of *Ely* could not have been legally founded, without the authority of the Pope; therefore devised this Charter, and Letters from the Pope: for that they are spurious will appear, if they are compared with the account given by *Eadmer*, who was present at those transactions.' And then he refers us to a passage in *Eadmer's* History; [*Eadmeri Historia Nov. lib. iv. pag. 96.*] in which there is not a word that affects the credit either of the Charter or Letters in question. — *Eadmer* there only tells us, "That the affair of erecting a new See at *Ely*, was first debated after Whitsuntide in the Council of London, A. D. 1108, and was agreed to by the King, and the Archbishop, and the other Great Men of the Kingdom: but *Anselm*, to whom that business chiefly belonged, knowing that a new Bishoprick could no where be legally erected without the consent of the Pope, wrote to him for his Confirmation." [The Letter of *Anselm* to Pope *Paschal*, the Reader may see in this Appendix, Numb. VI. 1.] — Now, says Mr. *Wharton*, *Paschal* never confirmed it during the life of *Anselm*; for which reason, *Anselm* did not suffer it to take place: but *Anselm* dying in May 1109; after that, the Episcopal See was erected at *Ely*, and *Hervey* promoted to it. For thus *Eadmer* relates the affair. [*Historia Nov. lib. iv. p. 104.*] "In the mean time," (i. e. after the middle of the Year 1109,) "*Hervey* Bishop of *Bangor* was fully translated from his See, which he had quitted long before, and was enthroned in the new Bishoprick which the King and the Great Men had agreed to be placed in *Ely*, as before related: to obtain which, he had laboured hard by much intreaty, many fair promises, and great attendance; but was not able to accomplish it, till after the death of *Anselm*." 'Here (says Mr. *Wharton*)

Wharton) 'is no mention of the Pope's Confirmation; but *Eadmer* seems rather to hint the contrary, namely, that the same legal obstacle still subsisted, the defect of the Pope's Licence.' — The reader will easily observe here, that the whole of Mr. *Wharton*'s argument is founded on the delays that *Hervey* met with, before he could accomplish his Translation to *Ely*; which he supposes were entirely owing to the Pope's not giving his consent; but may otherwise be more easily accounted for; — by the long absence of the King, who went into *Normandy* before August 1108, and did not return till May 1109; the death of *Anselm* which happened in April, before the King returned to *England*; and the multiplicity of affairs that took up his attention afterwards, particularly his receiving the Embassadors of the Emperor, which was done in the most splendid manner ever known before; and the espousal of his Daughter the Princess *Matilda* to the Emperor.

The citation that Mr. *Wharton* makes from one of Pope *Paschal*'s Letters wrote in the year 1115, [*Eadmeri Hist. Nov. lib. iv. pag. 113*] is foreign to the purpose, and relates to the Translation of *Ralph* Bishop of *Rocheſter* to the See of *Canterbury* the year before, by the King, and the Bishops, and Great Men, without consulting the Pope; in that Letter therefore, which is directed to the King and the Bishops of *England*, the Pope complains of the little regard paid to the See of *Rome* in that business, and tells them, 'It had been usual, on such occasions, to consult the Apostolic See; — but you, (says he) determine the affairs of Bishops without consulting us; — you presume to Translate Bishops without our authority, which we know is prohibited to be done, without the authority and leave of the holy See of *Rome*.' This passage, as it does not relate to, so is it in no wise applicable to this case; because in the affair of fixing a Bishoprick at *Ely*, it appears from *Eadmer*, that application was made to the Pope by *Anselm*, for his licence and consent. And indeed Mr. *Wharton* seems to be aware of this defect in his argument, and adds, 'Certainly if the Pope's consent was obtained, yet this History, which relates that the business was finished, and *Hervey* translated to *Ely* in the year 1108, may be proved to be false; for it is evident from *Eadmer*, that it was not accomplished till after the death of *Anselm*, viz. in the year 1109.' And then recurs again to the seeming inconsistencies in the Date of the Charter, on which he lays the chief stress. But these I have considered before, and proved that they arise only from mistaking the true Date of it which is found placed, not at the beginning but at the end of the Charter; and that the Charter was Given and Signed, not in the year 1108, but in the 10th year of King *Henry I.* A. D. 1109.

NUMB. IX.

Carta Regis HENRICI I, de Libertatibus Ecclesie Eliensis. — E Lib. Elien. MS. lib. iii. cap. 7. Et e MS. Fol. notat. M. in *Ædibus Dom. Episcopi Elien. Holbourn.*

HENRICUS Rex Anglorum, Archiepiscopis, Episcopis, et Abbatibus, et Comitibus, et Baronibus, et Vicecomitibus, et Ministris, et omnibus Fidelibus suis *Francis et Anglis* totius *Anglie*, Salutem. Sciatis me concessisse *Hervey* Episcopo Episcopatum de *Ely*, cum omnibus terris et possessionibus ad eundem Episcopatum pertinentibus; et Volo et Precipio, ut prefata Ecclesia *Eliensis* habeat honorifice et libere et quiete omnes consuetudines suas infra burgum et extra, in terra et in aqua, et in paludibus, et in plano, et in bosco, videlicet, *Socam et Sacam et Toll et Theam et Infangantheof et Hamsocna et Grihtbriche et Fithwite et Ferdwite*, et omnes alias Forisfacturas emendabiles; sicut melius habuit die qua *Ædwardus* Rex vivus et mortuus fuit, et sicut diratiocinatum fuit in tempore Patris mei apud *Keneteford* coram Baronibus Patris mei *Walchelino* Episcopo, *Gosfrido* Episcopo *Constanciensi*, et *Baldewino* Abbate Sancti *Ædmundi*, et *Ivone Taillebois*, et *Petro de Valoniis*, et testimonio plurium *Scyrrarum*; et Sciatis quia non sum guarant. quod aliquis ponat calumpniam in hiis predictis consuetudinibus. Test. *Ranulfo* Cancellario, et *Gileberto de Aquila*, et *Hamone* Dapifero, et *Willielmo de Albeneio*, et *Pagano de Peveril*, et *Will. de Peveril* de *Dover*. Apud *Castrum Helgoti in Scalopescyra*.

NUMB. X.

Carta ejusdem Regis de adquietatione Villæ de Hadham. Ex iisdem MSS.

HENRICUS Rex Anglorum, *Ricardo* Episcopo *London*, et *Hugoni de Bochland*, et omnibus Baronibus, et omnibus fidelibus suis *Francis et Anglis*, de *Hertfordscyra*, Salutem. Sciatis me reddidisse Domino Deo et Sancto *Petro*, et Sancte *Ætheldrede* Virgini, et *Hervey Eliensi* Episcopo, Manerium de *Hadham* in pace et in quietudine, amodo et usque in sempiternum, sicut melius Abbatia de *Ely* tenuit tempore Patris mei, et tempore *Ædwardi* Regis; cum *Soca*, et *Saca*, et *Toll*, et *Team*, et *Infangantheof*, infra Burgum et extra; Quod Manerium *Rannulfus* Episcopus *Dunholmensis* injuste tenebat. Teste *Willielmo Winton*. Episcopo, et *Rogero* Episcopo *Saresb*, et *Roberto* Episcopo *Lincoln*, et *Willielmo* Episcopo *Exonie*, et *Roberto* Episcopo de *Cestria*, et *Johanne* Episcopo de *Bada*, et *Radulfo* Episcopo de *Roveceſtr.* et *Ranulfo* Cancellario, et *R. Comite de Mellent*, et *Gileberto de Aquila*, et *Will. de Alben*. et *H. Dapifero*, et *Nigello de Alben*. &c. Apud *Windresores*, in

in Pentecost. in Anno quo Filia Regis data est Imperatori.

NUMB. XI.

Carta ejusdem Regis, quod Monachi de Ely quieti sint de Theloneo. Ex iisdem MSS.

HENRICUS Rex Anglorum, Vicecomitibus suis, et Ministris Anglie, Salutem. Precipio, ut ubicumque Monachi de Ely poterint invenire Materiam, et Plumbum, et Ferrum, et Petram ad vendendum, et cetera que opus sint ad operationem Ecclesie, quieti sint ab omni Theloneo, et absque Consuetudine. Teste Rogero Bigot. Apud Saltradam.

NUMB. XII.

Alia Carta ejusdem Regis, de eodem. Ex iisdem MSS.

HENRICUS Rex Angl. Omnibus Vicecomitibus et Ministris suis totius Anglie, Salutem. Precipio, quod ubicumque Monachi de Ely poterint invenire Materiam, et Plumbum, et Ferrum, et Petram ad emendum, et cetera que opus fuerint ad operationem Ecclesie de Ely, sint ita quieti de Theloneo, et omni Passagio, et Consuetudine, sicut precepi per meum aliud Breve; et nullus eis super hoc injuriam vel contumeliam inde faciat, super Forisfacturam meam. Teste Cancellario. Apud Saltredam.

NUMB. XIII.

Carta ejusdem Regis, de concessione Ferie in Ely, ad Festum Sancte Etheldrede. E MS. prænominato M.

HENRICUS Rex Angl. Archiepiscopis, Episcopis, Abbatibus, Comitibus, Vicecomitibus, Baronibus, et omnibus fidelibus suis totius Anglie, Salutem. Sciatis me concessisse Deo et Ecclesie de Ely, et Herveo Episcopo habere Feriam in Ely septem diebus, videlicet, 3 diebus ante festum Sancte Etheldrede, et in Die festivitatis ejusdem, que est in Vigiliis Sancti Johannis Baptiste, et 3 diebus post festum. Et Volo et Precipio firmiter, quod omnes homines ad illam venientes, cum omnibus rebus suis firmam pacem meam habeant in eundo et redundo; Et nullus eos disturbet, neque injuriam, neque contumeliam faciat, super 10 libr. forisfacture. Teste Roberto Comite Gloucestrie, et Willielmo de Albeneio, et Nigello de Alben. et Johanne Baioc. Apud Wintoniam.

NUMB. XIV.

Carta ejusdem Regis, quod homines Sancte Etheldrede quieti sint a Scyra et Hundreda. Ex iisdem MSS.

HENRICUS Rex Anglorum, Archiepiscopis, Episcopis, Abbatibus, Comitibus, Ba-

ronibus, et omnibus fidelibus suis Francis et Anglis, Salutem. Sciatis me concessisse et quietum clamasse Episcopum Herveum de Ely, et omnes Successores suos Episcopos Ecclesie Sancte Etheldrede de Ely, quod nullus de dominio suo requirat vel vadat ad Scyram vel Hundredam; sed Episcopus habeat omnes forisfacturas super homines suos libere et quiete nunc et in perpetuum, sicut melius habuit die qua Rex Edwardus fuit vivus et mortuus; et prohibeo ne inde amodo requiratur, vel donetur, nec propter hoc aliquid de suo capiatur, aut hominum suorum. Hoc autem concedo pro salute anime mee, et statu Regni mei, et pro animabus Patris mei et Matris mee, et Predecessorum et Successorum meorum. Teste Johanne Luxoviense Episcopo, et Roberto de Sigillo, Will. de Tancarville, et Will. de Albenio, et Gaufrido de Clintune, et Johanne filio Johannis. Apud Argenton.

NUMB. XV.

Carta ejusdem Regis, de Possessionibus Ecclesie Eliensis colligendis. Ex iisdem MSS.

HENRICUS Rex Anglorum, omnibus Baronibus, et omnibus hominibus Francis et Anglis qui tenent terras de Episcopatu de Ely, Salutem. Volo, et Precipio, et Concedo, ut Ecclesia de Ely, et Herveus Episcopus habeat in dominio suo omnes illas terras, cum hominibus et consuetudinibus quas Symeon Abbas habebat in dominio suo die illa qua fuit vivus et mortuus; nisi illi qui possunt monstrare se tunc recte tenuisse concessu Regis Anglie qui tunc erat, et concessu Symeonis Abbatis et Conventus Ecclesie de Ely. Teste Roberto Comite de Mellent, et Gileberto de Aquila.

NUMB. XVI.

Carta ejusdem Regis, contra Invasores terrarum et bonorum Sancte Etheldrede. Ex iisdem MSS.

HENRICUS Rex Anglorum, Archiepiscopis, Episcopis, Abbatibus, Comitibus, Vicecomitibus, et omnibus Fidelibus totius Anglie, Salutem. Volo, et Precipio, quod omnes illi qui tenent terras illas, quas Episcopus Eliensis clamat, quas Carta mea Wintonie testatur juratas fuisse ad feudum Ecclesie Eliensis tempore Patris mei, et unde verbum ostensum est coram Justicia mea, recognoscant de Episcopo Eliensi, et faciant ei inde servitium tale quale consideravero, secundum valentiam terrarum. Teste Gaufrido Cancellario, et Gaufrido de Clintune, et Pagano filio Johannis. Apud Sanctam Petram desuper Divam.

NUMB.

NUMB. XVII.

Carta ejusdem Regis, de Libertate Quinque Hundredorum. Ex iisdem MSS.

HENRICUS Rex Anglorum, Herberto Episcopo, et Radulfo de Bellaf, et Radulfo Passelew, et omnibus fidelibus suis Francis et Anglis de Suthfolc, Salutem. Precipio quod Episcopus de Ely, et Herveus ejusdem loci Episcopus, bene et quiete et honorifice teneat et habeat omnes consuetudines suas, scilicet, Sacham et Socham, et Toll et Theam, et Infangentheof, et Hamsoene, et Grithbriche, et Fidtwite, et Ferdwite, et omnes alias Forisfacturas in Quinque Hundredis et dimid. de Wiclava, sicut melius habuit ipsa Ecclesia de Ely, eadem die qua Edwardus Rex vivus et mortuus fuit, et sicut dirationatum fuit in tempore Patris mei apud Kenethesford testimonio plurium Scyrrarum, et coram Baronibus Patris mei, videlicet, coram Goisfrido Episcopo Constanciensi, et Walcelino Wintoniensi Episcopo, et Baldewino Abbate de Sancto Edmundo, et Petro de Valoniis, et aliis quampluribus. Et sciatis quod non sum warant. alicui neque de Socha, neque de Sacha, neque de aliqua alia Consuetudine, quod ea habeat in predictis Hundredis, nisi per Elyensem Episcopum. Teste Rannulfo Cancellario, Gilberto de Aquila, et Hamone Dapifero. Apud Castrum Helgoti in Salopesyra.

NUMB. XVIII.

Carta ejusdem Regis HENRICI I. de acquietatione, de warda Militum in Castello Regis de Norwic. Ex iisdem MSS.

HENRICUS Rex Anglorum, Archiepiscopis, Episcopis, Abbatibus, Comitibus, Baronibus, Vicecomitibus, et omnibus fidelibus Francis et Anglis totius Anglie, Salutem. Sciatis me clamasse quietum Episcopum Herveum de Ely, et omnes Successores suos Episcopos de Ely, nunc et usque in sempiternum de warda Militum quam facere solebant in Castello meo de Norwic, et de illis 25s. et 5d. et ob. quos dabant unoquoque anno vigili meo de eodem Castello, de liberatione sua, et de omnibus illis serviciis, omnibus modis, et omnibus operationibus, et rebus universis que fieri solebant predicto Castello de Episcopatu de Ely. Et Concedo quod idem Herveus Episcopus, et omnes Episcopi Successores illius habeant amodo in Insula de Ely, wardam suam de Militibus suis, et omnia servitia sua que prius faciebant in Castello prenominato, ita bene et plenarie sicut ea in Castello plenius fiebant. Hanc autem libertatem et donationem facio. Herveo Episcopo, et omnibus Episcopis Successoribus ejus amodo in-

tegram et inconcussam pro salute anime mee, et Patris mei, et Matris mee, in remissionem peccatorum meorum. Teste Rogero Episcopo Saresberienfi, et Alexandro Episcopo Lincolnienfi, et Oino Episcopo Ebroicensi, et Gaufrido Cancellario, Roberto Comite de Gloucestria, Willelmo Comite de Warene, et Will. de Albeneio, et Brianno filio Comitis, et Hugone Bigoto, et Milone de Gloucestria, et Gaufrido de Clintune, et Will. de Albeneio Britane, et Will. de Pondelarche, Apud Windresores.

NUMB. XIX.

Carta ejusdem Regis HENRICI I. de Servitio Militum. Ex iisdem MSS.

HENRICUS Rex Anglorum, Archiepiscopis, Episcopis, Abbatibus, Comitibus, &c. Salutem. Sciatis quia Volo, et Concedo, et Precipio, ut omnes illi Barones et Vavassores, qui terras illas tenent quas Carta mea Wintonie de Thesauo meo testatur fuisse juratas tempore Patris mei ad feudum Ecclesie de Ely, recognoscant eas, et teneant de predicta Ecclesia et Episcopo de Ely amodo et in perpetuum, faciendo inde Ecclesie Servitium Milicie secundum tenuras, et secundum hoc quod servitia statuta sunt in eisdem terris; et ita quod Barones et Vavassores easdem terras tenentes, sint quieti erga me, et alios dominos suos, de tanto servitio, quantum inde Episcopo et Ecclesie predictae facere debuerint, in statuto servitio Milicie; et Volo, et Precipio, ut Episcopus et Ecclesia bene, et honorifice, et in pace, et quiete teneant, cum Sacha et Socha, Toll et Theam, et Infangentheof, et cum omnibus aliis consuetudinibus et quietationibus suis, cum quibus melius et quietius et honorabilius aliud feudum suum tenent; et servitium suum de terris predictis illi qui terras tenent amodo faciant Episcopo, ubi Episcopus facit aliud servitium suum de Ecclesia sua. Teste Rogero Saresberienfi Episcopo, et Gaufrido Cancellario, et Roberto de Sigillo, et Will. de Tancarvilla, et Will. de Albeneio Pincerna, et Radulfo Basset, et Gaufrido de Clintune. Apud Eilinges, in transitu meo.

NUMB. XX.

Carta ejusdem Regis HENRICI I. de acquietatione 40. sol. de Wardpeni. Ex iisdem MSS.

HENRICUS Rex Anglorum, Archiepiscopis, Episcopis, Abbatibus, Comitibus, Vicecomitibus, et omnibus Fidelibus suis totius Anglie, Salutem. Sciatis me clamasse quietos amodo usque in sempiternum, Deo et Sancte Etheldrede, et Ecclesie Elyensi, et Herveo Episcopo, et Successoribus suis, 40 solidos qui requirebantur

quirebantur de terra sua de *Wardpeni*, et de hominibus suis. Et prohibeo, ne amodo requirantur, vel donentur, nec propter hoc aliquid de suo capiatur, vel hominum suorum. Hoc autem concedo pro salute Anime mee, et Statu Regni mei, et pro Animabus Patris et Matris mee, et Conjugis mee *Matildis* Regine, et *Willielmi* Filii mei, et Predecessorum et Successorum meorum. Teste *Johanne Lexoviense* Episcopo, et *Roberto de Sigillo*, et *Willielmo de Tancarvilla*, et *Willielmo de Albencio*, et *Gaufrido de Clintune*, et *Johanne fil. Johannis*. Apud *Argenton*.

NUMB. XXI.

Carta ejusdem Regis, de relaxatione 40. Librarum Scutagii. Ex iisdem MSS.

HENRICUS Rex *Anglorum*, Archiepiscopis, Episcopis, Abbatibus, Comitibus, &c. Salutem. Sciatis me condonasse Ecclesie Sancte *Ætheldrede de Ely*, pro Dei amore, et anima Patris et Matris mee, et pro redemptione peccatorum meorum, et petitione *Hervei* ejusdem Ecclesie Episcopi, 40. Libras de illis 100. Libris, quas predicta Ecclesia solebat dare de Scutagio, quando Scutagium currebat per terram meam *Anglie*; ita quod Ecclesia amodo in perpetuum non dabit inde nisi 60. Libras, quando Scutagium per terram e venerit; et ita in perpetuum sit de predictis 40. Libris Ecclesia predicta quiesca. Teste *Rogero* Episcopo *Saresberienfi*, *Gaufrido* Cancellario meo, et *Roberto de Sigillo*, et *Will. de Tancarvilla*, et *Will. de Albencio* Pincerna, et *Radulfo Basset*, et *Gaufrido de Clintune*, et *Will. de Pondelarche*. Apud *Eilinges* in transitu meo.

NUMB. XXII.

Carta Regis HENRICI I. de Concessione Abbatie de Chateris Ecclesie Eliensis. Ex iisdem MSS.

HENRICUS Rex *Anglorum*, Archiepiscopis, Episcopis, Abbatibus, Comitibus, Vicecomitibus, Baronibus, et omnibus Fidelibus totius *Anglie*, Salutem. Sciatis me dedisse et concessisse Deo et Ecclesie *Elyensi*, et *Herveo* Episcopo in Elemosinam, Abbatiam de *Chateris*, cum terris, et possessionibus, et omnibus rebus eidem Abbatie pertinentibus. Et Volo, et Precipio firmiter, ut bene et in pace teneat, et quiete et honorifice, cum *Sacha* et *Socha*, et *Toll* et *Theam*, et *Infangenetheof*, et omnibus Confectionibus et Libertatibus, sicut melius et quietius, et honorificentius tenet alias terras suas de Episcopatu de *Ely*. Teste *Gaufrido* Cancellario, et *Willielmo de Albencio* Pincerna, et *Gaufrido de Clintune*, et *Pagano filio Johannis*. Apud *Sanctum Petrum desuper Divam*.

NUMB. XXIII.

Carta ejusdem Regis HENRICI I. de Libertate Hundredorum Sancte Ætheldrede. Ex iisdem MSS.

HENRICUS Rex *Angl.* Omnibus Baronibus qui terras tenent in Hundredis Episcopi de *Ely*, Salutem. Precipio vobis, quod veniatis ad placita Hundredarum Episcopi, per summonitionem servientium Episcopi, ita bene et plenarie sicut melius vos et homines vestri soletis venire, ex tempore Patris mei, et Fratris, et meo postea; et sicut venire debetis, ne placitum vel restructio Ecclesie remaneant pro penuria Judicantium. Et facite Episcopo quicquid facere soliti estis Antecessoribus suis et ipsi postea, sicut facere debetis. Teste Cancellario. Apud *Helling*.

NUMB. XXIV.

Alia Carta ejusdem Regis, ne homines Episcopatus Eliensis placitent, nisi ubi solebant placitare. Ex iisdem MSS.

HENRICUS Rex *Angl.* Omnibus Vicecomitibus in quorum Vicecomitatibus *Herveus* Episcopus de *Ely* habet terram, Salutem. Nolo ut homines de Episcopatu alibi placitent de placitis unde implacitati fuerint nisi ubi solebant placitare in tempore *Edwardi* Regis, et tempore Patris mei et Fratris. Teste Cancellario. Apud * *Clivam*.

NUMB. XXV.

Carta ejusdem Regis, quod Res Abbatie æquo et justo modo dividantur. Ex iisdem MSS.

HENRICUS Rex *Anglorum*, Archiepiscopis, Episcopis, Abbatibus, Comitibus, Vicecomitibus, et omnibus Fidelibus suis *Francis* et *Anglis* totius *Anglie*, Salutem. Sciatis quod Volo et Concedo et Precipio, ut Monachi de *Ely*, de sua Abbatia habeant justam portionem et equam divisionem, secundum morem et jus Ecclesiasticum, in rebus omnibus, videlicet, terris, possessionibus, dignitatibus, et bonis que proprie usui eorum ac sustentationi fidelium largitione illis donate sunt atque concessæ, cum sollempniter et integre ipsa Abbatia fuerit in Episcopatum commutata. Et Nolo ut inde aliquam molestiam sive minorationem patiantur, sed equanimiter eorum portio et res totius Abbatie dividantur ab invicem, et per sacramentum bonorum et fidelium hominum de honore Sancte *Ætheldrede* diligenter inquisite scripto adsignentur, et ad victum eorum atque necessitates amodo deputate libere et quiete permaneant, nec quisquam super his inquietare.

* *Al. Divam, vel Dinam.*

quietare eos presumat. Teste *Randulfo* Cancellario, et *Gileberto de Aquila*, *Haimo*. Dapifero, et *Will. de Alben.* et *Pagano Pever.* Apud *Castrum Helgoti* in *Scalopescyra*.

NUMB. XXVI.

Carta HERVEI Episcopi Eliensis, de rebus quas permisit et concessit Monachos habere. Ex iisdem MSS. — et ex alio MS. Dom. Episcopi Eliensis, Notat. A.

HERVEUS Dei gracia *Elyensis* Ecclesie Episcopus primus, Universis Ecclesie filiis, tam presentibus quam futuris, Salutem. Cum, Deo disponente, Cenobium *Elyense* regimini meo foret commissum, Cenobiique nomine deleto, in Episcopii dignitatem, Dompni Pape *Paschalis* auctoritate, et Principis nostri *Henrici* consensu, Procerumque suorum consilio, commutatum fuisset; Decrevi necessaria Monachorum a rebus Episcopalibus separare. Monachorum quippe necessaria prius per omnem ejusdem Cenobii potestatem communiter capiebantur. Ego vero si eodem modo in posterum maneret, aliquam tali de causa seditionem timens pullulare, res Monachorum a rebus Episcopalibus separatim ordinavi; et ad ipsorum necessaria, eisdem ad horam assentientibus, hec subscripta illos separatim possidere permisi; et ut permessa et divisa sunt, nisi quid a posteris meis erga eos liberalius fiat, in perpetuum manere concedo. Terrarum igitur nomina hec sunt, *Infra Insulam, Suthona, Wicham, Wichesford, Wintewortha, Tidbrithseia, Stunteneia* cum xxiii. milibus anguillarum que adjacent *Manerio*; et omnes apportatus et oblationes Altarium Matris Ecclesie, ad sustentandas ejusdem Ecclesie necessitates; et Ecclesiam Sancte *Marie de Ely*, cum terris, et decimis, et omnibus rebus ad ipsam Ecclesiam pertinentibus, et nominatim tota decima de *Bertona* mea, et una *Vaccaria* in *Biela*, [*Beele*, MS. A.] et *Stretham*, sub hac divisione, ut due partes pertineant ad *Domum Hospitalitatis*, tertia vero ad necessaria Monachorum; Quatuor quoque pensas casei in *Dereforda*; et sex pensas salis in *Tirentona*; quin etiam ligna in *Somersham* et in *Bluntesham*, sicut melius habuerunt tempore Predecessorum meorum; et super ripam de *Bluntesham*, una *Mansura* terre cum quinque acris, ubi colligantur ligna; et cum octo acris prati, unde pascantur boves qui ligna attrahunt; Vineam etiam suam in *Ely*, sicut habuerunt antequam ad Episcopatum venirem; et sex Piscatores ad piscandum in aquis ubi solebant, cum eorum mansionibus. Extra *Insulam*, in *Cantebrigescyra, Hauechestuna, Newetona, Sceldford, Meldeburna, Melretha, Suafham*; et duodecim *Sceppe* frumenti et brassii, quas debent heredes *Hardwini de Scalaris*. In

Suthfolc, Bergham, Winestona, Stoca, Meltona, Baldreseia, Suthburna, Brihtwella cum *Rixemera*. Socha quoque *Quinque Hundredorum* et dimidii, *Lachingeia, Undeleia, Sceppeia, Fotesthorp* ad mandatum Monachorum; et Triginta milia *Alecium* de *Dunawico*; Concedo eis etiam omnes *Servientes* suos de omnibus ministeriis suis, ut eos cum suis mansuris libere possideant. Permitto preterea ut habeant et libere possideant universa dona, que eisdem ante tempus Episcopatus mei, sive tempore meo data sunt, vel in posterum dabuntur, sive in terris, sive in ecclesiis, sive in decimis, sive in piscariis, sive in denariis, sive in quocumque redditu, quem eis quilibet fidelium hactenus contulerit, sive postmodum collaturus sit. Omnia autem prescripta, insuper et Curiam suam ipsis concedo, cum universis libertatibus et consuetudinibus que in terris, que mei juris sunt, servantur, nichil prorsus excipiens; ita ut aliquis posterorum meorum de ipsorum rebus nichil omnino se intromittat, nisi quod eosdem cum omnibus possessionibus suis fideliter et indefinenter protegat et manuteneat. Siquis vero malignitatis spiritu commotus, hanc nostram Concessionem et Donationem infringere, contempnere, vel abicere voluerit, a Deo, et ab omnibus Sanctis ejus sit condemnatus, et a Nobis, in quantum licet, excommunicatus, et a consortio fidelium separatus, nisi resipiscat. Fiat, Fiat. Amen.

NUMB. XXVII.

An Historical Account of the ROYAL FRANCHISE of Ely; by the Rev. Mr. Warren Rector of Leverington in the Isle of Ely, and Chaplain to the Right Reverend the Lord Bishop of Ely.

IN the time of the Heptarchy, as well as for several centuries after, it was usual for the Kings to invest some of their principal Subjects with a jurisdiction in all matters, both civil and criminal, within certain districts. *Tonbert*, a great Nobleman of the East Angles in the seventh century, seems to have been absolute Proprietor^b of a jurisdiction of this kind throughout the Isle of Ely; which, together with other estates in the said Isle, he settled on *Etheldreda*, the daughter of *Anna* King of the East Angles, whom *Tonbert* married in 652; and dying about three years after, *Etheldreda* became possessed of this jurisdiction in right of her marriage-settlement.^c In 673, *Etheldreda* founded a Monastery at Ely; and endowed it with many valuable estates in that country, and elsewhere, and settled on it also her temporal jurisdiction throughout the Isle; the profits of which were, probably at that time, considerable.^d In 870, the Danes rifled and burnt the Monastery of Ely;^e and the year after, *Borrhed*,^f King of Mercia,

^a Camden. ^b Pag. 45, 46. supra. ^c Pag. 46. supra. ^d Pag. 54. supra. ^e *Milton in Kennes* Vol. 1. p. 55. ^f Pag. 64. supra.

Mercia, taking advantage of the great confusion and disorder, which the Danes had occasioned in the Isle of Ely, seized the estates of the Monastery; and annexed the right of jurisdiction to his own Crown.^a Borhred did not long enjoy these new acquisitions, as the Danes deprived him of all his territories about three years after, and forced him to fly into foreign parts.^b In the year 876, King Alfred, having expelled the Danes out of Mercia, added that kingdom to his other dominions; and, by that means, became possessed of the temporal jurisdiction throughout the Isle of Ely; which, as we observed just now, had been annexed to the Crown of Mercia by Borhred, the late unfortunate King.^c During these troubles, the Monastery of Ely lay in ruins, and no attempts were made to rebuild it for some years; till at length a few Ecclesiastics, encouraged by King Alfred, and the Inhabitants of Ely, repaired the Isles of the old Church, as well as their circumstances would admit; and set up the publick worship of God in it.^d It does not appear what particular estates King Alfred settled on this small Society; but, it is pretty certain, that he did not invest it with any part of that temporal jurisdiction, which the old Monastery enjoyed.^e This mark of Royal Favour was not conferred till the next century; when King Edgar, by his Charter in the thirteenth year of his reign, A. D. 970, refounded the Monastery of Ely; and endowed it with very large possessions, and, among other valuable privileges, restored to it the temporal jurisdiction throughout the Isle of Ely.^f This Charter of Edgar is very long; but all that relates to our purpose, is contained in these few words, viz. *Ego Edgarus Rex &c. intra paludes causas seculares duorum centuriatum, et extra paludes quinque centuriatum in Wichlawe in Provinciâ Orientalium Saxonum benigne ad fratrum necessaria sanciendo largior.* The two hundreds, mentioned in this Charter as being within the fens, include the whole Isle of Ely: The five hundreds without the fens lie in Suffolk, are commonly called Saint Etheldreda's Liberties, and belong now to the Dean and Chapter of Ely; but as the jurisdiction, which the Dean and Chapter claim in these hundreds, is no part of my present inquiry, I shall take no further notice concerning that matter.^g The words in Edgar's Charter being general, it is difficult to gather from thence, what kind of jurisdiction was granted to the Monastery by means of them; but, as it was usual in those times, for

the Crown to invest private persons with a power of judging in all matters, arising within a certain district, it is very probable, that the jurisdiction granted here by Edgar, was intended to be very full and compleat, and, in every respect, truly Regal; especially, as this business was managed by Dunstan and Ethelwold;^h who were the Restorers of Monckery in the tenth century, and had great influence over the King.ⁱ This Charter has been always considered as the foundation of that temporal jurisdiction, which the Monastery of Ely continued to exercise (with very little interruption) from the time it was refounded, till the Bishoprick was erected; and which hath, from that time, as will appear presently, been vested in the See of Ely.

The next Charter, relating to this Franchise, was from Edward the Confessor; and though it has no date, yet if it were necessary, it would not be difficult to fix pretty exactly about what year it was granted.^j The clause in the Confessor's Charter, which it may be proper to cite on this occasion, is as follows, viz. *Insuper omnia a quocunque adjecta, vel adjicienda, bonorum testimonio possessa cum omni sachâ et sochâ sine aliquâ exceptione secularis vel ecclesiastice justitie illi Monasterio damus, data quæta clamamus eadem quæ Sancti Viri illud glorificaverunt libertate, quò neque Episcopus, nec Comes, nec alicujus exactionis Minister, sine licentiâ vel advocati Abbatis et Fratrum, ullo modo se presumat intrinittere.*^k We observed just now, that the words in Edgar's Charter were so general, that it was difficult to explain what powers and privileges were given to the Monastery by means of them; but, the words, in the Charter now before us, being much more particular, plainly shew, that the Monastery of Ely was to be exempt from episcopal jurisdiction, and to have so full an authority in all temporal matters arising within the Isle of Ely, that no officer of the Crown was to intermeddle, unless called in by the Abbot and Monks.

Many eminent Writers of British Antiquities accuse the Monks of forging Royal Grants and Charters; and there is reason to believe, that they often had recourse to such scandalous practices; but, there is no room to suspect, that the Charters now referred to were forged; as there is no fact in our early history better attested, than that of King Edgar's refounding the Monastery of Ely, and restoring to it all its antient privileges: And with respect to Edward the Confessor's Charter, that is indeed more full and

par-

^a Pag. 69, supra. ^b Milton in Kennet vol. 1. p. 56. ^c Ibid. ^d Pag. 70, supra. ^e Ibid. ^f Bishop of Ely's Regist. Liber M. pag. 64, 65, 66. ^g Pag. 73, supra. ^h Pag. 71, 72, supra. ⁱ Milton in Kennet vol. 1. pag. 63. ^j King Edward's charter, according to Liber Eliensis MS, was confirmed by Pope Victor II. soon after the King had granted it; and as Victor II was advanced to the Popedom in April 1055 and died in June 1057, this Charter was granted A.D. 1056, or thereabouts. See Briver's Hist. of the Popes Vol. 5. pag. 203-206, and the Bull of Victor II. in the Bishop of Ely's Regist. Lib. M. pag. 1. ^k Bishop of Ely's Regist. Lib. M. pag. 70, 71, 72. ^l Camden, Selden and others.

particular than Edgar's; but it does not, I apprehend, grant any new privileges, but only confirms the old, of which the Monks were in quiet possession, when this Charter was granted; so that supposing them capable of committing so base a fraud, yet it was hardly worth their while for so small an advantage; and besides, it is very certain, that they could have no occasion to make use of any indirect means in the present case, as Edward the Confessor was, according to the character our historians give of him, ready enough to bestow favours of this kind.

From the time of this Grant by Edward the Confessor nothing remarkable occurs concerning this franchise till the reign of William the Conqueror; who, having met with great opposition from the Monks of Ely, took away some of their estates, and made them redeem others by a heavy fine, and entirely deprived them of all their Royalties, as well in the Isle of Ely, as elsewhere; but, in the year 1080, or thereabouts, the King was pleased to restore to the Abbot and Monks of Ely the same powers and privileges as they were in possession of at the death of Edward the Confessor. William the Conqueror's Charter runs in these words viz. *Willielmus Anglorum Rex omnibus Fidelibus suis Sc. Precipio ut Abbatia de Ely habeat omnes consuetudines suas scilicet Sacham et Socham, Tol et Team et Infangenethes, Hamfocna et Grithbriche, Fithwite et Ferdwite, infra Burgum et extra, et omnes alias Forisfacturas, que emendabiles sunt in terra sua super suos homines: has, inquam, habeat, sicut habuit die, qua Rex Edwardus fuit vivus et mortuus.*^a

Henry the first, in the 10th year of his reign, A. D. 1109, founded the Bishoprick of Ely out of a part of the revenues of the Abbey, and converted the Abbey into a Conventual Church; and, immediately after, gave a charter, by which he allowed that the Church of Ely should continue to have the same Privileges and Liberties, as it had *die, qua Edwardus vivus et mortuus fuit.*^b It will be proper to observe here, that, after the Bishoprick was founded, the Charters concerning the Liberties, which were granted by several of the succeeding Kings, were not granted to the Bishop solely, but to the Bishop, Prior and Convent jointly; but as the Abbots, before the Bishoprick was founded, used to exercise the temporal Jurisdiction throughout the Isle of Ely independently of the other Members of the Church; so the Bishops being in the place of the Abbots, always considered themselves to be in like manner invested with this Jurisdiction, and accordingly exercised it inde-

pently of the Prior and Convent; who were however permitted to have great powers and privileges within the circuits of their several Manors in the Isle of Ely.^c

These private jurisdictions, by the frequent Grants of our Kings, became at length so numerous, that they deprived the Crown of a great part of it's authority and revenue: for which reason Edward the first, a wise and politic Prince, was resolved, by some means or other, to resume these franchises, and to vest them again in the Crown; and, it being suggested to the King, that few or none of the Nobility, Clergy, or Commonalty, who had Franchises by means of Grants from the King's Predecessors, could produce their Charters; it was openly proclaimed that every man, that held those liberties or other possessions by Grant from any of the King's Progenitors, should, before certain selected persons thereunto appointed, shew *quo jure quove nomine ill' retinerent*: Whereupon many of these Liberties were taken into the King's hands, because the Charters or Grants, under which they were claimed, could not be produced:^d But this way of proceeding, being contrary to Law gave great offence to the nation; which as soon as the King perceived, the Statute of *Quo Warranto* was enacted, which quieted the minds of the people, and, at the same time, very well served the King's purpose; as all Franchises, which any one had, either by Grant or Prescription, ought, according to this Statute, to be claimed before the Justices in Eyre at their next sitting in the County, where the Franchise lay; and, in case no claim was made, or when made, not proved to the satisfaction of the Justices in Eyre, such Liberties were lost, and taken into the King's hands.^e This Statute was made at Gloucester in the 6th of Ed. 1. and published in the 30th of his reign, and under that year it generally occurs in our Statute-books.^f

There can be no doubt but that proper care was taken to claim the Franchise of the Isle of Ely at the next Eyre for the County of Cambridge after the passing of this Statute; though nothing of this kind appears on record till the 32d year of Edward the first; when Robert Orford, Bishop of Ely, sent his Steward to the Justices in Eyre at Cambridge to claim the Franchise of the Isle of Ely:^g and, in the 8th year of Edward the Second, John Keeton, Bishop of Ely, sent his Steward to Cambridge, to interpose a claim of the like kind.^h Both these claims were inquired into by the Justices in Eyre, and allowed. In the 15th year of Edward the

^a Daniel in Kennet Vol. 1. pag. 106. ^b Bishop of Ely's Regist. Liber M. pag. 72, 73. ^c Wharton's Angl. Sac. Vol. 1. 615. ^d Bishop of Ely's Regist. Lib. M. pag. 75. ^e Bishop of Ely's Regist. Liber M. pag. 81, 92, 129. ^f Bishop of Ely's Regist. Liber M. pag. 124, 125, 126. ^g Coke 2 Inst. pag. 280. ^h Ibid. ⁱ Coke 2 Inst. pag. 281. ^k Coke 2 Inst. pag. 279. ^l Exemplificatio Libertatum ecclesie Elien. Bishop's Regist. Liber P. 8. Ibid.

the 3d, at the Assizes at Cambridge complaint was made to the Court, that no Jurymen appeared from the Isle of Ely, though a precept had been sent to the Bailiff of the Isle to empanel Jurymen for the Hundreds of Wisbech and Witchford; but, as the summoning of the Inhabitants of the Isle to serve on Juries for the County, was an encroachment on the Liberties of the Church of Ely; Simon Montacute, then Bishop, sent his Attorney to Cambridge to claim the franchise of the Isle of Ely; and on his exhibiting an authentic copy of the proceedings in the cause of Bishop Keeton, the Court allowed Bishop Montacute's claims.^h

It hath been observed, in the course of this inquiry, that the words, in the several Charters, were so general, that it was difficult to explain what particular powers and privileges, the Monastery, and afterwards the See of Ely, were entitled to by virtue of those Charters; but, this difficulty will be, in a great measure, cleared up, by considering the several claims, which the Bishops, Orford, Keeton and Montacute, made before the King's Justices in Eyre at Cambridge; as these claims are drawn up with much more exactness and precision than the old Charters; which were probably framed by Monks, and, according to their manner, in very obscure and vague terms. I have put down these claims at full length in the collection of records at the end of this Account; and as they were, in every respect, allowed, there is no room to doubt but that the Bishop of Ely did formerly appoint the several Justices for the Isle by commissions in his own name and under his own seal; and, that he had a Court as well for determining all pleas of the Crown, as all other matters arising within the said Isle.ⁱ

Besides this Exemplification^k of the Liberties of the Church of Ely in the 18th year of Edward the Third, from whence I have extracted some of the foregoing articles, other Exemplifications were granted in succeeding reigns, and many Writs *pro allocandis Libertatibus Epō Eliensi*; and in particular, several for allowing the Bishop all fines, amerciaments, forfeitures, goods of felons of themselves, &c. for, as this was the only part of the Jurisdiction, from which any profit could arise to the See of Ely, the Bishops seem to have been on that account, the more frequently called on by the Crown to shew their claim in this respect.^l

But, though the Bishop of Ely might antiently have had a power of hearing and determining all pleas of the Crown, as well as all other matters arising within the Isle of Ely; yet,

in the Reign of Edward the Second, and perhaps earlier, when the King's Justices in Eyre were sitting at Cambridge, it was usual for the Bishop of Ely to send his Steward or Attorney for a copy of the King's Commission; which being brought to Ely, the Bishop's Justices were obliged to proceed, in the Administration of Justice, according to the form and tenor thereof, as appears from the following charge, which the Justices in Eyre gave to the Bishop's Attorney, on their delivering to him a transcript of the King's Commission, viz. *Et dictum est eidem Attornato quod celeris justitia ibidem* [i. e. infra Insulam Eliensem] *exhibeatur juxta formam Commissionis Domini Regis Justiciariis hinc directis, cujus transcriptum eidem Attornato in Curia liberatur.*^m It may be difficult to say, how long this practice of sending a transcript of the King's Commission to the Bishop's Justices continued; but it was probably left off before the time of Henry the 8th, or very early in his reign; as that King issued a Commission under the Great Seal, on the 18th of November 1515, empowering certain persons therein named, to deliver the Prisoners confined in the Gaol at Ely;ⁿ and what is well worthy of notice, Nicholas West, then Bishop of Ely, granted a Commission likewise under his hand and Seal for the same purpose, bearing date the same day as the King's Commission, and constituting the same persons Commissioners;^o which seems to imply, that the Bishop apprehended that his authority, in this case, was disputable; and therefore, rather than give it up entirely, he had recourse to this contrivance; which was probably often made use of in those days, as well as in much later times;^p But the claim, which the Bishop and other Lords of Franchises affected to keep up by this device, was totally taken away by a Statute in the 27th of Hen. 8, which gave a general and important blow to all these private jurisdictions; As it took from the Lords of all Franchises the power of Pardon, and also the power of naming Justices of Eyre, of Assize, of Peace, and of Gaol-delivery; and what this Statute took from the Lords of Franchises, it gave to the Crown; and, in order to abolish even the form of the antient authority, when the reality was gone, it ordained that all Writs and Process within Liberties shall be made in the name and stile of the King, and only the *Teste* in the name of the Proprietor of the Franchise:^q And, agreeably to this Statute, *Justices of Assize, of Peace, and of Gaol-Delivery* for the Isle of Ely, are now made by Letters Patent under the Great Seal, and all Writs run in the King's name, *Teste* the Bishop,

^h Ibid. ⁱ Collection of records Numb. 1. 2. 3. ^k This Exemplification was granted under the Great Seal 18 Ed. 3d. and is enrolled in the Exchequer in the Roll of Patents under the 28th of Ed. 3d. ^l Bishop of Ely's Regist. Lib. B et M. passim. ^m Exemplification in the 18 Ed. 3d. ⁿ Bishop West's Register. ^o Ibid. ^p Dalrymple's History of Feudal property Cap. 7 throughout. ^q 27 H. 8. c. 24.

Bishop, as Lord of the Franchise. It will not be improper to observe here, that the Bishop of Ely, and his temporal Steward, (for the time being,) are constituted by this Act Justices of the Peace within the said Isle, for ever.^{*}

The Chief Justice of the Isle of Ely is appointed by Letters Patent under the hand and Seal of the Bishop, and holds his Office, *quàm diù se benè gesserit*.^{*} By virtue of this Patent from the Bishop, the Chief Justice hears and determines all Pleas, real, mixt, and personal, at the suit of any persons whatsoever, in the Isle of Ely; and, as he is of the *Quorum* in the Commissions from the King, he tries also all the Pleas of the Crown arising within the said Isle. The several Officers under the Chief Justice are appointed likewise by the Bishop: some of whom are Patentees for life, and others during pleasure only. The High Bailiff, Clerk of the Peace, Clerk of the Crown and Assize, and Custos Rotulorum,[†] are Patentees for life; but the Coroners hold their Offices, during the Bishop's pleasure only.[‡]

In the Statute *De excommunicato capiendò*, the Isle of Ely is said to be a Liberty, within which the King's Writ runneth not; and a particular process, in the case of a *Significavit* for the Isle of Ely, is directed by that act;^{*} but, notwithstanding this, the King's Writ runs now in the Isle of Ely, and no attempt has been made of late to stop it.

From the passing of this Act, I find nothing of any consequence concerning this jurisdiction, till the 18th year of Charles the Second; when Bishop *Wren* sent his Attorney to the Court of King's Bench, (then sitting at the Castle at *Windsor*,) to claim in general the Franchise of the Isle of Ely, and to demand in particular that a certain cause, arising within the said Isle, which had been begun in the Court of King's Bench, might be removed from thence, and ordered to be heard by the Bishop's Chief Justice; it being a matter, of which the Bishop's Court had cognizance. The claim, which Bishop *Wren* made, was, after proper inquiry, allowed, and the cause was removed out of the Court of King's Bench, and a day fixed for trying it at *Wilsch* by the Bishop's Chief Justice.[†] This seems to have been a very remarkable case; and yet one would imagine that it was soon forgotten, or totally disregarded; as it has been a common practice for many years, to begin suits in the King's Courts concerning such matters a-

rising within the Isle of Ely, as not only might, but ought, according to the Judgment given in the case of Bishop *Wren*, to have been tried by the Bishop of Ely's Chief Justice only; and, as it is very usual likewise to remove causes out of the Bishop's Court into the King's Courts by Writs of *Certiorari*, the business on the Pleas-side has, on both these accounts, been much on the decline for many years.

Fines, Amerciaments, Forfeitures of Recognizances, and all other forfeitures, and also Post-fines on the alienation of lands within the Isle of Ely, belong to the Bishop; but, as the profits, arising from thence, are not equal to the Bishop's expences for Officers, Salaries, &c. this Jurisdiction, when considered as a matter of gain, is not worth having; yet, as it gives the See of Ely some peculiar powers and privileges, no Bishop would be willing to part with it: But, with respect to the Inhabitants of the Isle, this Franchise is a matter of great convenience; since, besides other advantages, they have justice administered as it were at their very doors, in all pleas of the Crown; and, in most civil cases, they need not, unless they think fit, have recourse to any other place for justice, but the Bishop's Court of Pleas belonging to this jurisdiction.^{*}

From what has been said, we may venture to pronounce that this Franchise is one of the most antient of the kind in the whole kingdom, as we have traced it as far back as the Seventh Century; and as it is probably the most antient, so does it contain a larger district; and has more powers and privileges belonging to it than any other Franchise, except that of the Bishop of Durham; which not only takes in a greater tract of Country, than the Isle of Ely, but still retains all Regal Rights,[†] such only excepted, as were taken away by the Act for *Recontinuing Liberties in the Crown*.[‡]

Collection of Records referred to in the foregoing Historical Account, &c.

I.

— **V**ENIT Robertus Episcopus Eliensis per Robertum de Maddynglee, senescallum suum, loco ipsius Episcopi, et petit libertates suas et ecclesiæ suæ, et clamat nomine dicti Episcopi Insulam Eliensem liberam et quietam ab omni exactione regali, et cognitionem omnium placitorum Coronæ tam de felo-

^{*} Ibid. Sect. 20. [†] Bishop of Ely's Regist. of Patents. [‡] 3 et 4 Ed. 6. c. 1. Sect 5. [§] Bishop of Ely's Regist. of Patents. [¶] 5 Eliz. cap. 23. Sect. 11. ^{||} Collection of records at the end of this Historical Account. N^o. 4. and Bishop's Regist. Lib. R. fol. 206. [⌘] It appears from divers records among the Archives belonging to the See of Ely, that the Bishop's Chief Justice used to hold pleas for levying fines and suffering common recoveries for the assurance of lands within the Isle of Ely; but a doubt being made about thirty years ago concerning the authority of the Bishop's Chief Justice in this respect, no fines have been levied, nor common recoveries suffered in the Bishop's Court of Pleas since that time. It is very remarkable that the power of the Bishop's Chief Justice in this particular was not questioned much sooner; as Sir Edward Coke has expressly said, *That a fine cannot be levied, to have the force of a final Concord by any that hath power tenere placita, but only before the Justices of the Court of Common Pleas*. See Coke 2. Inst. p. 515. [⌘] Spearman's account of the County Palatine of Durham. [⌘] 27 Hen. 8. C. 24.

feloniis et transgressionibus in Insulâ Eliensi factis, quàm de terris et tenementis in eadem insulâ existentibus, et quòd Justiciarii Domini Regis, quicunque fuerint, de aliquibus placitis prædictam insulam tangentibus, seu alii Ministri Domini Regis, intromittere seu ingredi ad aliquod officium exercendum aliquo sensu non debent. Et præterea Senescallus clamat nomine ipsius Episcopi, quòd prædictus Episcopus, per Justiciarios suos loco ipsius Episcopi possit et debeat placitare, et terminare omnia placita prædicta, sicut temporibus retroactis, in itinere Justiciariorum et aliorum quorumcunque Assignatorum, allocari et fieri consueverunt.

2.

— **V**ENIT quidam Johannes de Cantabrigiâ, Senescallus Episcopi Eliensis, et clamat habere nomine prædicti Episcopi, Domini sui, diversas libertates in Comitatu Cantabrigiæ, viz. infra Insulam suam Eliensem, retorum omnium brevium Regis, et Ministrorum suorum, ac cognitionem omnium placitorum, tam de Coronâ quam de aliis quibuscunque per Ministros ipsius Episcopi faciend. ita quòd nullus Minister Domini Regis ad aliquod officium in eadem insulâ exercend. ingredi seu intromittere debeat.

3.

The Charters of Edgar, Edward the Confessor, Richard the First, and Edward the Second are recited in Bishop Montacute's claim, and then follow these words, viz.

VIRTUTE quarum concessionum et verborum generalium prædictus Abbas, qui tunc fuit, et Fratres ejusdem loci, et Successores sui, a tempore concessionum prædictarum, sine interruptione aliquâ, et postea post creationem Abbatis ejusdem loci in Episcopum, omnes Episcopi loci prædicti, Prædecessores Episcopi, qui nunc est, usi sunt, quòd quodocunque aliquis tenens aut residens infra eandem insulam implacitatus fuerit per extrinsecos, de aliquâ re vel causâ infra eandem insulam emergente, coram aliquibus Judicibus sæcularibus, placitum illud triandum fuit coram Justiciariis dicti Episcopi apud Ely: Et similiter habuerunt cognitionem, et jurisdictionem omnium placitorum infra insulam prædictam emergentium, tam placitorum Coronæ et aliorum placitorum ex Officio, quàm ad sectam partium, per Justiciarios suos proprios inquirend. audiend. et triand.

4.

Termino Sancti Hillarii Anno Regni Domini Caroli Secundi nunc Regis Angliæ &c. xviii. Rot. 229. Cantab.

MEMORANDUM quòd die Martis, &c. coram Domino Rege apud Castum de Windsor venit Edvardus Grange per

Samuelem Wall, Attornatum suum, et protulit hic in curiâ dicti D. Regis tunc ibidem quandam Billam suam versus Theophilum Simpson in custodiâ Mariscalli, &c. et sunt plegii de prosecutione, scilicet Johannes Doe et Richardus Roe, quæ quidem Billa sequitur in his verbis, Cantab. Edvardus Grange queritur de Theophilo Simpson in custodiâ Mariscalli D. Regis coram ipso Rege &c. pro eo viz. Quòd cum quidam Arthurus Young generosus, tricesimo die Septembris Anno Regni Domini Caroli Secundi nunc Regis Angliæ &c. decimo septimo apud Downham in Comitatu prædicto dimisisset, concessisset et ad firmam tradidisset præfato Edvardo unum Messuagium, quadraginta acras terræ arabilis, et quadringentas acras pasturæ cum pertinentiis præfato Edvardo et Assignatis suis, a vicesimo die ejusdem Mensis Septembris anno decimo septimo supradicto usque ad plenum finem et terminum quinque annorum, &c. virtute cujus dimissionis idem Edvardus in tenementum prædictum cum pertinentiis intravit, et fuit inde possessionatus, quousque prædictus Theophilus postea, scilicet eodem tricesimo die Septembris anno supradicto vi et armis, &c. in tenementum prædictum cum pertinentiis, in et super possessionem ipsius Edvardi inde intravit, et ipsum Edvardum a firmâ suâ prædictâ, termino suo prædicto inde nondum finito, ejecit, expulit et amovit, ipsumque Edvardum a possessione suâ prædictâ sic ejectum inde extratenuit et adhuc extratenet, et alia enormia ei intulit contra pacem dicti D. Regis nunc, ad damnum ipsius Edvardi viginti librarum; et inde producit sectam &c.

Et prædictus Theophilus Simpson, per Johannem Cuffe, Attornatum suum, venit et defendit vim &c. et super hoc venit Mathæus, Episcopus Eliensis, per Alexandrum Brome, Attornatum suum, &c. et dicit quòd tenementum prædictum cum pertinentiis est infra Insulam Eliensem in Comitatu Cantabrigiæ, et infra jurisdictionem libertatis Episcopi Eliensis, et petit inde libertates et privilegia sua, scilicet habend. cognitionem placiti prædicti in Curia dicti Episcopi coram Justiciario suo tenend. Idemque Episcopus ulterius dicit, quòd hujusmodi libertates, &c. scilicet in Curia D. Edvardi tertii, &c. scilicet termino Sancti Hillarii anno regni sui vicesimo primo Allocatio fuit tunc Episcopo Eliensi, &c. in quodam placito Transgressionis inter Katharinam Buck de Littleport querentem, et Wilhelmum Tiveto et alios de Littleport, defendentes, prout per recordum prædicti placiti, &c. plenius apparet: Idemque Episcopus Eliensis dicit quòd hujusmodi libertates, &c. Scilicet in dictâ Curia dicti D. Regis Edvardi coram ipso Rege termino Sancti Michaelis anno regni sui vicesimo allocatio fuit tunc Episcopo

copo Eliensi, &c. in quodam placito &c. inter Katharinam Buck querentem, et Henricum de London et alios, defendentes, prout per Recordum placiti prædicti, &c. plenius apparet, et petit idem Episcopus inde libertatem suam habend. cognitionem Placiti prædicti in curiâ dicti Episcopi coram Justiciario suo apud Wisbech tenend. Super quo auditis et intellectis præmissis, et inspectis allocationibus prædictis, quæsitum est a partibus, si quid dicere sciant, aut velint, quare prædictus Episcopus Eliensis libertatem suam in placito isto habere non debeat: Qui dicunt, quod non: idèque habeat Episcopus prædictus libertatem suam, in placito isto: Et super hoc prædictus Attornatus ejusdem Episcopi præfixit diem partibus prædictis, coram Justiciario ejusdem Episcopi apud Wisbech, &c. Et dictum est eidem Attornato, quod partibus prædictis ibidem plena et celeris Justitia exhibeatur, alioquin redeant, &c.

§ § §

Laudum sive Arbitrium inter Johannem Episcopum Eliensem, et Willielmum Priorem Elien. fact. A. D. 1417. de Juribus eorum et Successorum utriusque Partis.—è MS Cotton C. 11. fol. 329.—et alio MS 8^{vo}. in Officio Registr. apud Cantab.*

UNIVERSIS Christi fidelibus ad quos presens Scriptura tripartita pervenerit, *Henricus Ware* Custos Privati Sigilli, *Willielmus Hankford* Capitalis Justiciarius Domini Regis, et *Rogerus Hortoun* unus Justiciarius Domini Regis ad ad Placita coram ipso Domino Rege tenend. Salutem in Omnium Salvatore.

Ipse Autor pacis Mediator Dei & Hominum a summis ad yma descendens ut pacem que perit inter Deum & Hominem reformaret, et eo firmitus stabiliret, eandem nascendo hominibus nunciavit, inter homines conversando verbis docuit et exemplo, ac finaliter quasi per viam Testamenti perpetuo duraturi moriendo reliquit, ad fraternum amorem & caritatis vinculum sui Nominis Cultores hiis et aliis mediis exhortando. Ad que sui interioris hominis oculos convertens Christianissimus Princeps Dominus noster Rex *Anglie & Francie Henricus V*, volensque Pacem in Eccles. Cath. *Elien.* que sui Patronatus existit, inter Episcopum ex parte una, ac Priorem &

Monachos ex alia, diu turbatam, debitis mediis reformare; ac litibus, jurgiis, mentium distractionibus, bonorum spiritualium & temporalium dissipacionibus, et aliis infinitis discordiarum incommodis finem imponi perpetuo duraturum; ambas Partes supradictas ad suam metuendissimam presenciam convocans, easdem ad compromittend. de & super quibusdam Controversiis, Litibus, Discordiis, Accionibus, Demandis, et Querelis, inter easdem Partes habitis & exortis, in Nos *Henricum, Willielmum* et *Rogerus* supradictos, mediis sibi placabilibus inducere dignabatur: prefate quoque Partes, votis Regiis annuentes, in Nos tres unanimiter compromiserunt, ac Decreto, Laudo, Arbitrio, Judicio sive amicali Compositioni, & finali Determinationi nostris, in alto & basso se spontaneè submiserunt; et eisdem stare & obedire in omnibus promiserunt.

Nos vero Arbitri, Compromissarii sive amicales Compositores antedicti, ob reverenciam Dei & Ecclesie sue, ac specialiter ad mandatum dicti Metuendissimi Domini Nostri Regis, onus hujus Compromissi in Nos assumentes; auditisque hinc & inde propositis, cum suis allegacionibus non paucis; inspectis insuper & discussis Juribus & Munimentis Parcium predictarum; factis quoque inquisitionibus diversis; nec non partibus predictis ad viam concordie, excogitatis mediis per Nos, inductis; partim de earundem Parcium expresse consensu, partim ex auctoritate Nobis in hac parte attributa, nostra communi deliberacione, ad Laudum, Arbitrium, Judicium, amicabilem Compositionem sive Sentenciam diffinitivam procedimus in hunc modum;

In Dei Nomine, Amen. Nos *Henricus, Willielmus*, et *Rogerus* compromissarii antedicti, auditis per Nos et plenius intellectis meritis omnium et singulorum supra & infrascriptorum, solum Deum habentes pre oculis, et de Jurisperitorum consilio, per hanc nostram diffinitivam Sentenciam, Laudamus, Arbitramur, Decernimus, Judicamus; Diffinimus, & finaliter Terminamus, Quod Episcopus Eliensis modernus, pro tempore suo, ac sui Successores Episcopi Elienses, suis successivis temporibus, imperpetuum habeat et habebunt omnimodam Jurisdictionem Spiritualem, soli et in solidum, per totam Civitatem et Diocesim *Elien.* absque reclamacione seu contradicione Prioris & Conventus, sive Sacriste Ecclesie *Elien.* predict.; exceptis hiis que infra scribuntur, in quibus Sacrista habeat spiritua-

Judicium pro Spirituali Jurisdictione.

Habebit

* This remarkable Arbitration (mentioned and referred to in p. 167. Note 7.) having a near relation to the Subject of the foregoing Historical Account of the Royal Franchise of Ely, written by the Rev. Mr. Warren; I could not well omit giving it a place here; especially as it serves to illustrate and confirm the Account above given by my learned and worthy Friend of that Royal Franchise; and sets the Temporal Jurisdiction of the Bishop of Ely in a very clear and conspicuous light.—It's usefulness at this day, and the Authority it bears, will appear on the perusal.—It was made by Persons of the most respectable Characters at that time, The Keeper of the King's Privy Seal, The Chief Justice of the King's Bench, and The Chief Justice of the Common Pleas, Arbitrators nominated and appointed by King Henry V, to settle a long Controversy between John Fordham Bishop of Ely, and William Powcher Prior of the Church of Ely, concerning their several Claims of Temporal, as well as Spiritual Jurisdiction, and other matters controverted between them.

Sacristæ
Jurisdictio
in Hospi-
tali Sti. Jo-
hannis et
Capellanis
de le
Grene in
Ely.

In Capel-
lanis Pa-
roch. in
Ely.

In Mini-
stris Mo-
nasterii et
Manerio-
rum.

De cele-
bratione
Synodi in
Prioratu
de Bern-
well.

Habebit namque Sacrista Eliensis, qui pro tempore fuerit, imperpetuum, jurisdictionem in *Hospitali Sti. Johannis Baptiste* infra Civitatem *Eliensem* situato, ac in Capellanis *Cantarie super le Grene* in eadem, tanquam Vicarius Episcopi, et prout in fundacionibus et ordinacionibus eorumdem expresse continetur, et non aliter, aut alio modo; sed considerato quod dicti Capellani *Cantarie super le Grene* celebrant infra Ecclesiam Cath. *Elien.* ac, ut dicitur, in certis Divinis obsequiis fiendis in eadem, solebant interesse, cultumque augmentare divinum; si Capellani, aut eorum aliquis, illa que sibi ratione alicujus Statuti, Compositionis, Consuetudinis, aut Fundacionis incumbunt in hac parte, non perficiat aut perficiant; Sacrista *Elien.* qui pro tempore fuerit, eosdem cohercebit per censuras Ecclesiasticas, aut alias injunctiones, & jurisdictionem Spiritualem quamcumque, quociens et quum sibi videbitur expedire. Habebit quoque idem Sacrista, qui pro tempore fuerit, imperpetuum, omnem et omnimodam jurisdictionem Spiritualem (causis Heresium dumtaxat exceptis,) in omnibus & singulis Capellanis et in Clericis Paroch.----- in duabus Ecclesiis Paroch. infra Civitatem *Elien.* dictis Religiosis viris appropriatis, et quarum fructus ad officium Sacristarie pertinent, consuetudine deservientibus, ac obedienciam canonicam recipiet ab eisdem. Et quia jurisdictio aliorum Clericorum & Laicorum infra easdem Parochias, extra loca dictis Religiosis inferius attributa degencium, ad Episcopum pertinet; prefati Capellani & Clerici in prefatis duabus Ecclesiis servientes, Episcopo *Elien.* qui pro tempore fuerit, prestabunt eciam juramentum obediencie, quo ad sua licita et canonica mandata. Ad hec idem Sacrista habebit omnem & omnimodam jurisdictionem Spiritualem & Ecclesiasticam, (causis Heresium dumtaxat exceptis,) in omnibus & singulis personis infra scriptis, videlicet, Clericorum & Laicorum, Servienciumque Officiariorum, ac artificiariorum, & ministrorum secularium quorumcumque dicti Monasterii, et aliorum secularium quorumcumque infra septa dicti Monasterii, aut extra in grangiis five maneriis ipsius Monasterii juxta *Ely*, videlicet, *Tirbutsey, Brame, Stonteney, Thorney, Northney, Quaveney, & Schepsey*, serviencium aut moram trahencium, eciam infra Civitatem *Elien.* et extra dictum Monasterium de nocte cubantium.

Preterea de consensu et assensu dicti Reverendi Patris *Eliensis* Episcopi, eo non obstante, quod temporibus retroactis Supprior *Elyensis* venire solebat singulis annis ad Synodum Episcopi *Elyensis* in Prioratu de *Bernewelle* celebrand. cum duobus aliis Monachis Monasterii *Elyensis*, et apparatus diversis, ac in eadem Synodo Missam celebrare solemnem: ex nunc tamen idem Episcopus aut Successores sui, five Ministri eorumdem, hujusmodi adventum Supprioris aut Monachorum, five dicte Missæ celebrationem, ab

eisdem minime vendicabit aut vendicabunt; sed erunt iidem Prior & Conventus, ac Supprior, & Monachi, & eorum Successores, de premissis onere omnino quieti imperpetuum; eritque in electione dictorum Prioris & Conventus in futurum, mittere ad Synodum supradictam unum de Monachis *Elien.* aut alium Procuratorem legitimum, ad interessendum in eadem Synodo, tractandumque & consensendum hiis que ibidem legitime peragentur.

Insuper, habebit Sacrista *Elien.* qui pro tempore fuerit, imperpetuum, omnem et omnimodam jurisdictionem, Spiritualem & Ecclesiasticam antedictam, (causis Heresium dumtaxat exceptis,) prout superius continetur, solus & in solidum, futuris semper temporibus, absque reclamacione Episcopi *Eliensis*, qui pro tempore fuerit, pacifice et quiete; Salvis tamen Visitacionum temporibus, ac Causis & Negociis ad eundem Episcopum per viam Appellacionis, five Querele, legitime devolutis; in quibus Visitacionum temporibus, ac Appellacionibus, & Querelis, Episcopus, qui pro tempore fuerit, cognicionem, discussionem, ac solidam jurisdictionem habebit, & debitam correccionem, prout jura volunt.

Verumtamen si idem Sacrista, qui pro tempore fuerit, in faciendo justiciam five debitam correccionem, quoad personas sue jurisdictionis superius ascriptas, negligens fuerit, ac per Episcopum *Elyensem*, qui pro tempore fuerit, aut ipsius auctoritate, ad faciend. justiciam, five debitam correccionem, circa aliquem eorumdem, in specie monitus five requisitus fuerit, ac ipsam justiciam five correccionem, cessante justo impedimento, coram eodem Episcopo, si opus fuerit, probando, per 15 dies, a tempore dicte monicionis five requisicionis continue numerandos, facere distulerit; ex tunc ipsa jurisdictio, quoad illam personam, circa quam justicia five debita correccio est neglecta, ad eundem Episcopum, qui pro tempore fuerit, pro illa vice censeatur omnino devoluta; idemque Episcopus justiciam faciat & corrigat in hac parte, reclamacione five contradiccione Prioris, aut Conventus, five Sacriste predictorum, in aliquo non obstante.

Cum etiam predictus Prior clamaverit habere sibi, & Successoribus suis, Omnia Fines, Amerciamenta, & Exitus forisfactos, de omnibus tenentibus de feodo suo infra *Insulam de Ely* existentibus, per quamcumque causam emergentur, in quibuscumque Curiis et Placeis regiis adjudicantur; clamaverit eciam idem Prior, habere sibi, & Successoribus suis predictis, infra *Insulam* predictam, Omnia Bona & Catalla quorumcumque hominum & tenencium suorum, felonum, fugitivorum, & dampnatorum, in Curiis Domini Regis, ac annum, diem et vastum de eorum terris & tenementis, & omnes alias forisfacturas que Domino Regi infra feoda et terras sua possent quovismodo pertinere;—clamaverit eciam idem Prior, habere sibi, & Successoribus suis

Exceptio
pro Episcopo, in
Visitacionibus, Appellat. et Querelis.

De Negligentia Sacristæ per 15 dies.

Clameum Prioris de Amerciamentis, &c.

—De Bonis & Catallis Felonum, &c.

—De Retornis Brevis, &c.

pre-

Responso
Episcopi.

Judicium
de Cogni-
tione Pla-
citorum,
Finibus,
Amercia-
mentis, &c.

predictis, Retorna omnium Brevium, & Summon-
nitionum de Scaccario, et eorumdem Brevium
& Summon. executiones, in omnibus terris et
feodis suis, infra eandem *Insulam*; & eciam ha-
bere & tenere omnia Placita de Averiiis & Catal-
lis captis & injuste detentis, & omnia alia Placi-
ta, que Vicecomes, virtute Brevium Domini Re-
gis, vel auctoritate propria, & sui officii potesta-
te, posset cognoscere vel tenere: — Predictusque
Episcopus, prefato Priori respondendo, clama-
verit habere sibi, & Successoribus suis infra & per
totam *Insulam* predictam, Cogniciones omnimo-
dorum Placitorum, & omnes Fines, Amercia-
menta, et Exitus forisfactos, in quibuscumque Do-
mini Regis Curiis & Placeis, de quibuscumque
personis, ex causa quacumque, infra *Insulam*
predictam emergentia; clamaverit eciam idem
Episcopus, habere sibi, & Successoribus suis,
Omnia Bona & Catalla fugitivorum, et felonum,
dampnatorum, in quibuscumque Curiis Domini
Regis, ac annum, diem & vastum de eorum ter-
ris & tenementis, & omnes alias forisfacturas
que accidere possint infra *Insulam* predictam; —
clamaverit eciam idem Episcopus, habere sibi,
& Successoribus suis predictis, Retorna omnium
Brevium Regiorum, & Summon. de Scaccario,
& Preceptorum Justiciar. et executiones eorum-
dem, de quibuscumque causis emergent. infra
Insulam supradictam; et in evidenciam clameo-
rum ipsius Episcopi predictorum, ostenderit idem
Episcopus diversas Allocaciones inde in Curiis
Regis sibi, & Predecessoribus suis, habitas &
concessas, eadem clamea ad intencionem ipsius
Episcopi approbantes. Et in hoc quod predictus
Prior clamat habere & tenere omnia Placita de
Averiiis captis et injuste detentis, et alia Placita
Vicecomitalia supradicta; Dixerit idem Episco-
pus, Placita illa sibi, et suis Successoribus, per-
tinere per predictas evidencias per ipsum Episco-
pum ostensas, plenius continentes, quod Ipse et
Predecessores sui, in Curiis Regis habuerunt cog-
niciones omnimodorum Placitorum infra *Insu-
lam* antedictam, et eciam Retorna, et Executio-
nes Brevium quorumcumque infra *Insulam* illam
emergentium; quibus terminis Brevia, et Placi-
ta Vicecomitalia includuntur: — Nos Arbitri
predicti, auditis, intellectis, et attentis eviden-
ciis & allegacionibus ex utraque parte predicto-
rum Episcopi & Prioris propositis & ostensis, Ar-
bitramur, Decernimus, Judicamus, Diffinimus,
& finaliter Terminamus, quod predictus Episco-
pus, & Successores sui, pro perpetuo habebunt
Cogniciones omnimodorum Placitorum in Cu-
riis Domini Regis, & Heredum suorum, infra
Insulam predictam emergentium, et omnia Fi-
nes, Amerciamenta & Exitus forisfactos, in qui-
buslibet Curiis & Placeis Domini Regis, & He-
redum suorum, ex causa quacumque emergen-
cia infra *Insulam* antedictam; absque predicti
Prioris, aut Successorum suorum, impedimento
eis aliquo inferend.; et similiter quod pre-

fatus Episcopus, & Successores sui, habebunt
omnia Bona & Catalla fugitivorum, felonum, &
dampnatorum, et alias Forisfacturas quascum-
que, in Curiis Domini Regis, & Heredum suo-
rum, adjudicat. sive adjudicand. contingerent in-
fra *Insulam* supradictam, absque impedimento
predicti Prioris, & Successorum suorum, imper-
petuum: — Ac eciam quod predictus Episcopus,
et Successores sui imperpetuum, habebunt Re-
torna omnium Brevium Regiorum, & Summon.
de Scaccario, et precepta Justiciariorum, & ex-
ecutiones eorumdem infra eandem *Insulam*, ex
quacumque causa emergent., absque hoc quod
predictus Prior, & Ministri, aut Successores sui,
se de eisdem aliquo intromittent: — Et quoad
Placita de Averiiis, & Catallis captis et injuste
detentis, ac alia Placita Vicecomitalia supradicta,
ex quo predictus Prior non dedixerit predictam
Libertatem et Jurisdictionem prefati Episcopi,
de habendo Cogniciones omnimodorum Placito-
rum infra *Insulam* antedictam; et similiter evi-
dencie ipsius Episcopi probaverint, quod idem
Episcopus et Predecessores sui Justiciarios suos
ad Placita illa infra *Insulam* predictam tenend. a
longo tempore successive habuerunt constitutos;
et predictus Prior nullam Allocationem de hu-
jusmodi Libertate sibi nec Predecessoribus suis
factam allegaverit nec ostenderit; et similiter in
hoc quod Retorna Brevium et Executiones om-
nimodorum Brevium, in quibus tam Brevia de
Replegiare et Vicecomitalia, quam alia Brevia in-
telliguntur, prefato Episcopo infra *Insulam* pre-
dictam pertinerunt faciend.: — Nos Arbitri pre-
dicti, Arbitramur, Decernimus, Judicamus, Dif-
finimus, et finaliter Terminamus, quod predic-
tus Episcopus, & Successores sui, habebunt et
tenebunt hujusmodi Placita de Averiiis & Catal-
lis captis et injuste detentis, et alia Placita Vice-
comitalia predicta infra *Insulam* antedictam, abs-
que predicti Prioris, et Successorum suorum,
perturbatione aliqua contrarie faciend.; Placitis
infra feoda et terras predicti Prioris, et Successo-
rum suorum, in *Insula* predicta, in Curiis Baron,
Visibus franci plegii, sive Letis suis, eisdem Cu-
riis et Visibus sive Letis pertinentibus, prefato
Priori et suis Successoribus semper salvis.

Item cum predictus Prior clamaverit habere
sibi et Successoribus suis omnia Fines, Amercia-
menta, et exitus forisfactos, Bona & Catalla
Fugitivorum, Felonum, et Dampnatorum, et
alias Forisfacturas quascumque de omnibus ho-
minibus et tenentibus suis in terris et feodis suis
infra *Insulam* predictam, quandocumque homi-
nes et tenentes illi amerciatii fuerint, vel fines fe-
cerint, vel eorum bona et catalla fuerint forisfac-
ta, in omnibus et singulis Curiis predicti Episcopi,
et Successorum suorum; quamvis homines
vel tenentes illi de prefato Episcopo, aut Succes-
soribus suis, alibi tenuerint infra eandem *Insu-
lam*; — clamaverit eciam predictus Prior habere
sibi et Successoribus suis omnia Bona et Catalla
vocata

—De Bo-
nis et Ca-
tallis Felo-
num, Fu-
gitivo-
rum, &c.

De Retor-
nis Brevi-
um Regi-
orum, &c.

Judicium
de tenendo
Placita de
Averiiis
captis et
detentis,
et alia Pla-
cita Vice-
com. infra
Insulam.

Exceptio
pro Prior.

Clameum
Prioris de
Finibus,
Amercia-
mentis,
Bonis &
Catallis,
&c. de Te-
nentibus
suis.

De Wayfs
& Strayes.Judicium
de Finibus,
Amerci-
ament.
Catallis
Felonum,
et aliis Fo-
risfactoris
in maneri-
is suis.De foris-
factoris
extraneo-
rum in fe-
od. Prioris.

vocata *Wayfs*, et animalia vocata *Strayes* in feodis, terris, et tenementis suis infra *Insulam* predictam; et habere liberacionem Extractarum hujusmodi finium factorum, exituum, et amerciamentorum, et bonorum et catallorum forisfactorum; ac Ballivum suum, cum Virga in manu sua, sedentem juxta Ballivum predicti Episcopi, et Successorum suorum, omni die cujuslibet Visus franci plegii, et Halimote apud *Ely* tenend.; — predictusque Episcopus materias illas contradixerit; — et predictus Prior nihilominus diversas Extractas de consimilibus finibus, exitibus, amerciamentis, bonis et catallis felonum, ab hujusmodi Curiis predicti Episcopi et aliquorum Predecessorum suorum, ipsi Priori, et aliquibus Predecessorum suorum, ostenderit liberatas, clameum ipsius Prioris de Extractis illis in forma predicta liberand. verisimiliter affirmantes; — Nos Arbitri predicti, auditis inde et intellectis evidenciis nobis exhibitis et ostensis, et allegacionibus ex utraque parte propositis, Arbitramur, Decernimus, Judicamus, Diffinimus, et finaliter Terminamus, quod secundum allegaciones et evidencias ex parte predicti Prioris propositas et ostensas, eidem Priori et Successoribus suis pertinebit ad habendum, et quod ipsi de cetero habebunt, omnia Fines, Amerciamenta, et Exitus forisfactos, Bona et Catalla felonum, fugitivorum, et dampnatorum, et alias Forisfactoras quascumque accidentes five existentes in omnibus terris, feodis, et tenementis suis, que assignata fuerunt Monachis *Elien.* per antiquas separacionem et assignacionem, per quendam nuper Episcopum *Elyensem*, in *Ely*, *Sutton*, *Wicham*, *Wynteworth*, *Wicheford*, *Stuntene*, *Tirbutsey*, *Witlesey*, et alibi infra *Insulam* predictam, (de quibus ea que sunt in *Ely*, in quibusdam Indenturis presentibus annexis plenius declaratur,) de omnibus hominibus et tenentibus suis cubantibus et levantibus in eisdem terris, feodis, et tenementis, in omnibus et singulis Curiis predicti Episcopi, et Successorum suorum, infra *Insulam* illam imperpetuum; tam de Placitis, unde Cogniciones in Curiis Domini Regis predicto Episcopo conceduntur, aut sibi, vel Successoribus suis, in Curiis Regiis imposterum concedentur; quam de aliis Placitis, Causis, et Accionibus quibuscumque, per Extractas per ministros earundem Curiarum faciend., et Ballivo predicti Prioris aut Successorum suorum pro tempore existen. liberand.; Salvis et reservatis predicto Episcopo, et Successoribus suis, omnimodis finibus, et gersumis factis, seu faciendis, pro terris et tenementis in quibuscumque Curiis dicti Episcopi, et Successorum suorum, infra *Insulam* predictam, qui ad usum Episcopi pro tempore existen. per Ballivum suum levand. integre remanebunt. — Et si aliqui extranei, non tenentes dicti Episcopi, aut Successorum suorum, forisfecerint in dictis terris, tenementis, et feodis, predictis Monachis, ut premittitur, assignatis, per quod Bona et Ca-

talla sua perdere debeant; in hoc casu hujusmodi Bona et Catalla in eisdem terris, tenementis, et feodis, tempore forisfacture predictae existencie, prefato Priori et Successoribus suis imperpetuum remanebunt. — Et si contigerit aliquod Placitum tangens aliquem hominem five tenentem predicti Prioris, aut Successorum suorum, in dictis feodis, terris, et tenementis, que fuerunt de predictis antiquis separacione et assignacione, ut predictum est, cubantem & levantem, in Cur. Domini Regis pendere, cujus causa emerferit infra *Insulam* supradictam, et predictus Episcopus et ejus Attornati, aut aliquis Successorum suorum et Attornatus suus, postquam eorum aliquis de Placito illo rationabiliter premunitus fuerit, vel noticiam inde habuerit, negligentes fuerint vel remissi, ad petend. cognicionem Placiti illius; quod tunc post negligenciam five remissionem illam, predictus Prior et Successores sui omnia Exitus, Amerciamenta, et Fines inde perveniencia et contingencia habebunt, per extractas Ballivo suo liberand. per Ballivum predicti Episcopi, vel Successorum suorum pro tempore existen. postquam idem Ballivus Episcopi allocacionem inde habuerit in Scaccario, vel alia Curia Domini Regis. — Proviso semper, quod predictus Prior et Successores sui, vel Ballivus Prioris pro tempore existens, super qualibet liberacione talium extractorum in quibus Fines, Amerciamenta, five Exitus forisfacti in Placito unde Episcopus pro tempore existens optinuerit cognicionem in Curia Domini Regis content. fuerint, solvent vel solvet Ballivo Episcopi ad tunc existenti, pro qualibet cognicione talis Placiti per Episcopum illum sic obtenta, 6s. 8d. ad usum ejusdem Episcopi imperpetuum, pro custagiis suis in Curia Domini Regis factis, secundum illam consuetudinem, quod pro qualibet tali cognicione Placiti ibidem habita 6s. 8d. pro feodis solvi debent. — Et si aliquis Prior pro tempore existens, feoda illa Ballivo Episcopi tunc existenti solvere recusaverit, Fines, Amerciamenta, et Exitus forisfacti in hujusmodi Placitis, unde cogniciones optente fuerint, ad usum Episcopi tunc existents, per Ballivum suum levanda remanebunt. — Et etiam si quis hominum vel tenencium predicti nunc Prioris vel Successorum suorum, insultum vel rescussum fecerit alicui Ballivo vel Ministro predicti Episcopi, vel Successorum suorum, in executione Legis facienda, quominus Ballivus vel Minister ille execuciones Brevium Domini Regis, Preceptorum Justiciar. seu alterius Officiarii predicti Episcopi, et Successorum suorum, facere poterit, per quod misericordiam inciderit, exitus amiserit, vel finem fecerit in aliqua Curia predicti Episcopi, vel Successorum suorum; — ex tunc Amerciamenta, Exitus, et Fines inde emergen. pertinebunt predicto Episcopo, et Successoribus suis, imperpetuum. — Et quoad hoc quod predictus nunc Prior clamat, quod Ballivus suus federet juxta Ballivum Episcopi,

Contra
negligen-
tiam At-
tornati E-
piscopi.De 6s. 8d.
solvend.
Ballivo E-
piscopi.

Judicium de sessione Ballivi Prioris in Letis Episcopi.

De Amerc. in Letis Prioris liberand. Ballivo Episcopi.

De Wayfs et Strays in feodo Prioris.

Clameum et Judicium pro Warrenna.

copi, cum Virga in manu sua, in forma predicta; — Nos Arbitri predicti Arbitramur, Decernimus, Judicamus, Diffinimus, et finaliter Terminamus, quod Ballivus predicti Prioris, et Successorum suorum, sic sedere poterit, ad informandum Senescallum Episcopi de tenentibus Prioris, et ad recipiendum extractas eorundem tenencium; set non ad judicandum, nec se de judiciis, five gubernacione, vel regula Curie, aliququaliter intromittendum; Et similiter idem Ballivus esse debet ad afforacionem amerciamentorum, in que tenentes Prioris inciderint, ad informandum afforatores de qualitate et quantitate transgressionum, et causarum, pro quibus misericordias inciderint; Salvo semper, quod idem Ballivus primo jurabitur ad Secreta Curie concelanda. — Et similiter Arbitramur, Decernimus, Judicamus, Diffinimus, et finaliter Terminamus, quod predictus nunc Episcopus, et Successores sui imperpetuum, habebunt omnia Fines, Amerciamenta, et Exitus forisfactos, de omnibus tenentibus et hominibus suis contingen. in Curiis, et Visibus franci plegii, predicti Prioris, et Successorum suorum, imperpetuum; — ita quod homines et tenentes illi non fuerint cubantes et levantes in predictis terris, feodis, et tenementis predicti Prioris et Successorum suorum, que fuerunt de predictis antiquis separacione et assignacione, ut predictum est, per extractas inde Ballivo Episcopi, liberand. in predicta forma qua Ballivus Prioris extractas suas de Curiis Episcopi recipiet liberatas; — Salvis et reservatis prefato Priori et Successoribus suis omnimodis finibus et gersumis factis, seu faciendis, pro terris et tenementis, in quibuscumque Curiis dicti Prioris, et Successorum suorum, infra *Insulam* predictam, qui ad usum Prioris pro tempore exist. per Ballivum suum levand. integre remanebunt. — Et ulterius Arbitramur, Decernimus, Judicamus, Diffinimus, et finaliter Terminamus, quod predictus Prior, et Successores sui, habebunt omnia Bona et Catalla vocata *Wayfs*, et animalia vocata *Strays*, acciden. in terris, feodis, et tenementis suis de antiquis separacione et assignacione predictis existen. ut predictum est; et omnia Bona et Catalla vocata *Wayfs*, et animalia vocata *Strays*, a libi infra *Insulam* predictam accidentia predicto Episcopo, et suis Successoribus imperpetuum, pertinebunt, absque predicti Prioris, aut Successorum suorum, contradictione, vel clam. apponend.

Item cum predictus Prior clamaverit habere sibi, et Successoribus suis, liberam Warrennam, in omnibus Maneriis, terris, et tenementis suis predictis, nuper Monachis *Elyensibus* per predictas antiquas separacionem et assignacionem assignatis, et ostenderit nobis Arbitris antedictis, Cartam Domini *Henrici* nuper Regis *Anglie* fil. Reg. *Johannis*, cuidam nuper Priori et Conventui suo de *Ely*, de Libertate illa in omnibus terris et tenementis suis, factam; — Nos Arbitri antedicti, visis evidenciis ex utraque parte, eisque

auditis, et intellectis; Arbitramur, Decernimus, Judicamus, Diffinimus, et finaliter Terminamus, quod idem Prior, et Successores sui, liberâ Warrennâ illâ, absque impetitione predicti Episcopi, vel Successorum suorum, gaudebunt pacificè et quietè; — Et similiter predictus Episcopus, et Successores sui, habebunt liberam Warrennam suam, alibi per totam *Insulam* supradictam.

Item cum predictus Prior questus fuerit, homines et tenentes suos multipliciter opprimi et gravari in hoc, quod predictus Episcopus constituit Justiciarios suos ad Pacem Domini Regis in predicta *Insula* conservandam; — ad quod predictus Episcopus dixerit, quod ipse, et omnes Predecessores sui Episcopi *Elyenses*, a tempore Mutacionis Abbacie de *Ely* in Episcopatum, et omnes Abbates Abbacie predictæ ante mutacionem illam, virtute Cartarum Dominorum Regum *Anglie*, *Edgari*, *Sti Edwardi* et *Henrici I* post Conquestum, habuerunt et tenuerunt predictam *Insulam* liberam et quietam ab omni exactione Regali; et inter alias Libertates, et Franchefias, habuerunt, et usi fuerunt inconcussè Regali Jurisdictione, ad assignand. Justiciarios suos ad Inquirend. de quibuscumque Causis five Querelis, infra predictam *Insulam* emergentibus; nec non ad Inquirend. Audiend. et Terminand. quascumque Causas, Felonias, Transgressiones, et alia Malefacta infra *Insulam* predictam facta et perpetrata; — Ita quod nullus Justiciarius, vel Minister Domini Regis, ad premissa infra *Insulam* predictam faciend. venit, vel aliququaliter intromisit; — Et quociens, et quum Dominus Rex Justiciarios suos assignaverit, ad Inquirend. Audiend. et Terminand. aliqua Felonias, Transgressiones, aut Malefacta in Comit. *Cant.* perpetrata, five ad Pacem in eodem Comitatu Conservand., et alia quecumque in Commissione inde eis directa Faciend., Exercend., seu Exequend., iidem Justiciarii post predictas Libertates, Franchefias, et Jurisdictionem Regalem nuper Abbatibus de *Ely* per predictos nuper Reges concessas eisdem Abbatibus, ante mutacionem Abbacie predictæ in Episcopatum, et ipsi nunc Episcopo, et Predecessoribus suis, post mutacionem illam; in Sessionibus suis semper deliberaverunt Attornat. Abbatis, vel Episcopi pro tempore existen. Transcriptum Commissionis Domini Regis eisdem Justiciariis directe, ut idem Abbas, vel Episcopus, Justiciarios suos infra *Insulam* predictam constituere, et assignare posset, ad omnia in eodem Transcripto contenta, infra et per totam *Insulam* predictam faciend. exercend. implend. et exequend. — Et pro pleniori informacione inde Nobis predictis Arbitris exhibenda, monstraverit Nobis idem nunc Episcopus quamplura Recorda, de hujusmodi Transcriptis Commissionum, tam ad Audiend. et Terminand., quam ad Pacem Conservand. et alia in eisdem Transcriptis contenta Faciend., Exercend., Implend., et Exequend. Attornatis ipsius

De Justiciariis constitutendis.

Clameum Episcopi per Cartas Regum tenere *Insulam* Elyen. liberam, &c.

Assignandi Justiciarios, libertatem clamat Episcopus.

Nullus Justiciarius Regis infra *Insulam* venit.

Regis Justiciarii in Comit. *Cant.* Sedentes, transcriptum Commissionis eorum Attornato Episcopi tradunt.

Judicium
pro Justiciariis E-
piscopi in-
fra Insu-
lam.

sius Episcopi, et Predecessorum suorum, per Justiciarios in eisdem Commissionibus nominatos, liberatarum:—Super quo, visis evidenciis predictis, et auditis rationibus, ex parte predicti Prioris, in contrarium allegatis; videtur Nobis Arbitris antedictis, prefatum Episcopum, nec Predecessores suos, in constitutione hujusmodi Justiciariorum minimè deliquisse; per quod, Arbitramur, Decernimus, Judicamus, Diffinimus, et finaliter Terminamus, quòd predictus nunc Episcopus, et Successores sui, hujusmodi Justiciarios in *Insula* predicta de cetero constituent, et assignabunt, in predicta forma per Predecessores suos antiquitus usitata, sine predicti Prioris, et Successorum suorum, et eorum tenencium, impedimento.

Item cum predictus Prior clamaverit tenere omnes possessiones suas, que per antiquas separationem et assignacionem predictas, tunc Monachis de *Ely* assignate fuerunt, de Domino Rege immediate, et non de prefato Episcopo;—Nos Arbitri predicti, certis de causis nos moventibus, renuimus inde multum tractare, et finaliter Judicare;—Nobis tamen inde videtur expediens et conforme, quòd usus et modus inde post separationem et assignacionem predictas optent. inter predictum nunc Episcopum, et Priorem, et Successores, servarentur de cetero in futurum.

Clameum
Prioris de
Prisona.

Judicium
de ea.

Item cum predictus Prior clamaverit habere Prisonam in *Insula* predicta, de omnibus hominibus, tenentibus, et servantibus suis, infra *Insulam* illam; et allegaverit, quòd ipse, et omnes Predecessores sui, hujusmodi Prisonam, a tempore quo non extat memoria, habuerunt;—predictusque nunc Episcopus, predictum Priorem, et Predecessores suos, Prisonam illam taliter habuisse contradixerit:—Nos Arbitri predicti, pro pace, concordia, et dilectione, inter predictos nunc Episcopum, et Priorem, et suos Successores, melius et solidius nutriend. Arbitramur, Decernimus, Judicamus, Diffinimus, et finaliter Terminamus, quòd siquos homines, tenentes, vel servientes familiares predicti nunc Prioris, vel Successorum suorum, in terris, feodis, et tenementis suis de antiquis separatione et assignacione predictis, cubantes et levantes, per Ballivum, vel alium Ministrum predicti Episcopi, vel Successorum suorum, per processum legis capi contigerit in futurum;—Ballivus, per literas Prioris pro tempore existentis, cum suo sigillo signand. deputandus, (pro quo idem Prior respondere voveret, et deberet,) veniet ad Ballivum, vel Ministrum Episcopi, qui homines et tenentes, vel servientes illos ceperit, et petet eos sibi deliberari in Prisona ejusdem Prioris custodiendos;—Et predictus Ballivus, vel Minister Episcopi, eos eidem Ballivo Prioris, in forma illa, custodiendos incontinentèr liberabit, absque feodo pro capcione, vel deliberacione eorum capiend. per Indenturam inde inter eos primitus faciendam;—qui quidem Ballivus Prioris, homines, tenentes, vel servientes hujusmodi, sic captos et liberatos,

bene et sufficienter custodiet, et eos reducet Ballivo vel Ministro Episcopi rationabiliter erga dies, versus eos per processum legis limitatos, sive limitandos;—et si evaserint, vel ad dies illos defuerint, Ballivus Prioris Custos Prisonæ sue, si sufficiens fuerit, et non fugerit, justificari volens; sin autem, Prior, pro tempore existens, Episcopo, qui pro tempore fuerit, et ejus Ministris, dampna que sustinuerint, emendabit, et eos indemnes in omnibus conservabit, et pro evasione similiter respondebit;—Provisò semper, quòd executio de illis, qui pro executione Statutorum Mercatorii et Stapule, debitis, vel dampnis recuperatis, sive aliis rebus adjudicatis, et recuperatis in Cur. Domini Regis, vel Episcopi *Elyensis*, pro tempore exist. capiendi sunt, Ballivis predicti nunc Episcopi, et Successorum suorum, et non Ministris Prioris, et Successorum suorum remanebit in omnibus faciend.

Item cum predictus nunc Prior clamaverit habere sibi, et Successoribus suis, de predicto nunc Episcopo, et Successoribus suis, quendam annuum redditum 100s. et pro titulo redditus illius habend. protulerit quandam Cartam sub nomine *Galsfridi* nuper Episcopi *Eliensis*; per quam supponitur, ipsum nuper Episcopum, ad honorem Dei, et perpetuam veneracionem Beate *Etheldrede*, concessisse et dedisse 100s. annuos de Scaccario suo, in assuetis quatuor anni terminis, a Sacrista *Eliensis* Ecclesie percipend. ad unum Cereum provid. ante Majus Altare illius Ecclesie, ita quòd continuè esset accensus;—asseruissetque predictus *Galsfridus* nuper Episcopus, per Cartam predictam, ipsum collacionem illam fecisse de assensu Capituli *Eliensis* perpetuò valituram, et in illius rei fidem, Sigillum suum, una cum Sigillo Capitulari *Eliensis* Ecclesie Carte predictæ apposuisse;—Ad quòd predictus Episcopus, (protestando quòd non cognovit aliquid de clameo predicto nunc Prioris, de redditu predicto,) dixerit, quòd predictus *Galsfridus* nuper Episcopus obiit ante Coronacionem Domini *Richardi* nuper Regis *Anglie* Primi post Conquestum;—Dixerit etiam idem nunc Episcopus, quòd per Cartam predictam minimè declaratur, quòd redditus predictus in aliquo loco certo percipi deberet, nisi in Scaccario ipsius *Galsfridi* nuper Episcopi, quòd per suam mortem ab essentia defuit, et finivit; ac licet Carta predicta pro vita ipsius nuper Episcopi sufficiens crederetur, tamen ad Successores suos solucioni redditus predicti obligandum, (cum verba sua tantum in eadem inferantur, et sui solius factum fuerit,) non referret;—Allegaverit etiam nunc Episcopus, quòd nec predictus nunc Prior, nec aliquis Predecessorum suorum, fuit seiscitus de annuo redditu predicto infra tempus memorie;—Nos Arbitri predicti, auditis, et intellectis, tam Carta predicta quam rationibus ex utraque parte hinc et inde propositis, Arbitramur, Decernimus, Judicamus, Diffinimus, et finaliter Terminamus, quòd titulus

Clausula
de eva-
sione.

De execu-
tione Sta-
tutorum
Mercato-
rii et Sta-
pule, &c.

Clameum
Prioris de
100s. an-
nuatim.

Judicium
de 100s.

Ius predicti nunc Prioris, ad habendum annuum redditum predictum per Cartam predictam factus, non est sufficiens ad predictum nunc Episcopum, et Successores suos, de eodem annuo redditu onerandum; eo quod Carta predicta mentionem non facit de aliqua Persona habili vel ydonea, que redditum illum perciperet, nisi tantum de Sacrista Ecclesie, qui ad hoc habilis esse non potest, eo quod Persona capax in lege non sit; nec in eadem Carta memoratur, quod redditus ille de prefato *Galfrido* nuper Episcopo et Successoribus suis capi deberet; per quod Successores ipsius Episcopi per Cartam illam onerandi non sunt; ac similiter in eadem Carta recitatur, quod Episcopus predictus Sigillum suum una cum Sigillo Capitulari *Eliensis* Ecclesie Carte predictae apposuit; — que verba ipsius nuper Episcopi, et non Capituli, ipsum nunc Episcopum nec onerant, neque ligant.

Clameum
Prioris de
Vastis et
Mariscis,
&c.

Judicium
de eis.

Item cum predictus Prior clamaverit solum Vastorum et Mariscorum in *Insula* predicta, infra Maneria sua de *Suttoun, Wicheham, Wicheford, Wynteworth, Witlesey, et Stunteney*, que sunt infra eandem *Insulam*, esse suum, et Successorum suorum; — Nos Arbitri predicti, auditis, et intellectis allegacionibus predicti nunc Prioris, et responsionibus predicti nunc Episcopi proinde propositis, Arbitramur, Decernimus, Judicamus, Diffinimus, et finaliter Terminamus, quod solum Vastorum et Mariscorum predictorum, ut parcella predictorum Maneriorum de *Suttoun, Wicham, Wicheford, Winteworth, Wittlesey, et Stunteney* prefato nunc Priori, et Successoribus suis, pro jure suo inde plenius probato, imperpetuum pertinebit.

Item cum predictus Prior clamaverit, quod ipse, et Successores sui, cum predicto nunc Episcopo, et Successoribus suis, essent Domini Vastorum et Mariscorum de *Ely*, et ea insimul pro indiviso, et in communi cum predicto nunc Episcopo, et Successoribus suis, tenerent; — clamaverit etiam idem Prior, habere sibi et Successoribus suis omnes Forisfacturas in Vastis et Mariscis de *Ely* accidentes, vocat. *Forfaitures of the Fennes*, viz. omnes Turbas fossas, Roscum et Leschiam falcatos vel messos in predictis Vastis et Mariscis per homines forinsecos, quolibet tempore anni; vel per homines residentes infra Villam de *Ely* predictam, tempore seissonabili, Turbas, Roscum, et Leschiam illos in Vastis et Mariscis predictis, ultra terminum in Cur. de Visu Franci Plegii apud *Ely* tent. limitatum dimittentes; unde predictus nunc Prior, se, et Predecessores suos, a tempore quo non extat memoria, fuisse seistitos, allegaverit; — predictusque nunc Episcopus, (protestando ipsum non cognovisse aliqua per predictum Priorem proinde superius allegata,) dixerit, quod ipse, et Predecessores sui Episcopi *Elienses*, fuerunt successive seistiti ut soli tenentes de Manerio de *Ely* cum pertinentiis, unde Solum Vastorum et Mariscorum de *Ely* est parcella, absque hoc quod predictus nunc

Prior de *Ely*, seu aliquis Predecessorum suorum, aliquid habuerint in Manerio et Solo illis infra tempus memorie; — et ulterius idem nunc Episcopus dixerit, quod ipse, et omnes Predecessores sui Episcopi *Elienses*, a tempore quo non extat memoria, habuerunt omnes predictas Forisfacturas vocat. *The Forfaitures of the Fennes*; — absque hoc quod predictus nunc Prior, aut aliquis Predecessorum suorum, a toto tempore illo, aliquid habuerit in eisdem; — allegaverit etiam idem nunc Episcopus, quod inter terras et tenementa per predictas antiquas separacionem et assignacionem prefatis nuper Monachis de *Ely* assignat., nichil dictum fuit de predictis Vastis et Mariscis de *Ely*; et sic Vasta et Marisci illa, cum residuo possessionum Abbacie de *Ely*, tunc Episcopo *Elien.* et ejus Successoribus, remanserunt; per quod, eadem Vasta et Marisci, parcella Maneriorum, terrarum, et tenementorum eidem tunc Episcopo remanencium, dici debent; — Nos Arbitri predicti, auditis, et intellectis allegacionibus inde ex utraque parte propositis, Arbitramur, Decernimus, Judicamus, Diffinimus, et finaliter Terminamus, quod Solum Vastorum et Mariscorum de *Ely* dicto Episcopo, et Successoribus suis, pro recto suo inde plenius declarato, imperpetuum pertinebit; — et quoad Forisfacturas vocatas *Forfaitures of the Fennes*, in Vastis et Mariscis de *Ely*, superius declaratas, predicti nunc Episcopus, et Prior, pro se et Successoribus suis, per mediacionem nostram, in forma sequenti pro perpetuo concordantur, videlicet; — Quod predictus nunc Episcopus et Successores sui habebunt omnes predictas Forisfacturas vocatas *Forfaitures of the Fennes*, de omnibus tenentibus suis in Vastis et Mariscis de *Ely* predictis, et omnimodas alias Forisfacturas de eorum Bonis et Catallis in eisdem Vastis et Mariscis de *Ely* accidentibus; — Et ulterius, quod omnes ille Forisfacture vocate *Forfaitures of the Fennes*, scilicet, Turbe fossate, Roscus et Leschia falcati et messi aliquo tempore anni, in dictis Vastis et Mariscis de *Ely* per aliquem forinsecum, viz. ullum non habentem commune Estoverium in eisdem Vastis et Mariscis, utrum infra vel extra predictam *Insulam* manserit, equaliter dividi debent inter predictos nunc Episcopum et Priorem, et Successores suos; ita quod predictus nunc Episcopus et Successores sui, unam medietatem, et predictus nunc Prior et Successores sui, alteram medietatem Forisfacturarum illarum, habebunt imperpetuum; — et quod predictus nunc Episcopus, et Successores sui, soli per se percipient et habebunt imperpetuum, omnia Fines, Amerciamenta, et Exitus forisfactos, ac Forisfacturas de Bonis et Catallis dictorum forinsecorum infra Vasta et Mariscos predicta, ex quacumque causa emergencia et accidentia; — Et predictus Prior et Successores sui, soli per se imperpetuum percipient et habebunt, omnes Forisfacturas vocatas *The Forfaitures of the Fennes*,
* E infra

infra Vasta et Mariscos de *Ely*, de omnibus tenentibus suis, cubantibus et levantibus in terris, feodis, et tenementis suis, que fuerunt de predictis antiquis separacione et assignacione, commune Estoverium in Vastis et Mariscis de *Ely* predictis habentibus, licet alibi tenuerint de Episcopo; ac omnia Fines, Amerciamenta, et Exitus forisfactos, ac quascumque alias Forisfacturas de eorum Bonis et Catallis in Curia predicti nunc Episcopi, et Successorum suorum, ex quacumque causa, in Vastis et Mariscis predictis emergentia et accidentia. — Et ne, quod absit, aliqua predictorum impofterum potuerint in dubium revocari, Laudamus, Arbitramur, Judicamus, et Decernimus, quod de et super nostro presenti Arbitrio, Laudo, Sentencia, Judicio, five amicabili Compositione, fiant Litere Indentate et Tripartite, quarum Una remaneat in Archivis Domini Nostri Regis, sub Sigillis nostris et Partium predictorum figillata; Alia vero penes Episcopum *Eliensem*, qui pro tempore fuerit, sub Sigillis nostris, ac dictorum Prioris et Conventus; Tercia vero penes prefatos Priorem et Conventum, sub Sigillis nostris, ac dicti Reverendi Patris *Johannis* Episcopi *Elyensis*.

In quorum omnium fidem et testimonium, Nos *Henricus*, *Willielmus*, et *Rogerus*, Arbitri antedicti Sigilla nostra Presentibus, penes Episcopum *Elyensem*, qui pro tempore fuerit, remanentibus, apposuimus. Dat. in Festo S. *Nicholai* Episcopi, A.D. 1417.

Et nos *Willielmus* Prior Ecclesie Cath. *Elyen.* et ejusdem loci Capitulum, five Conventus, predictum Laudum, Arbitrium, Sentenciam, Judicium, five amicabilem Compositionem, in omnibus suis partibus supradictis, et prout superius scribuntur, et recitantur, pro Nobis, et Successoribus Nostri, tenore Presentium, Approbamus, Ratificamus, confirmamus, et expresse Emologamus. In cujus rei testimonium, huic parti presentis Indenture penes Episcopum *Elyen.*, qui pro tempore fuerit, remanenti, Sigillum nostrum Commune apposuimus. Dat. in Domo nostra Capitulari in Festo Ste *Lucie* Virginis, A.D. 1417 supradicto.

NUMB. XXVIII.

Penso annua Walteri Lempter, M. D. è MS Ep'i *Eliensis*. B. fol. 84.

OMNIBUS Christi fidelibus ad quos presentes Litere pervenerint, *Willielmus* permissione divina Epus *Eliensis*, Salutem in Domino sempiternam. Noveritis nos concessisse, et hoc presenti Scripto nostro confirmasse dilecto et fideli nostro Magistro *Waltero Lempter* in Medicinis Doctori, pro bono Servizio suo, Nobis et Ecclesie Nostre *Eliensi* impenso, et impofterum impendendo, quendam annualem Redditum viginti Marcarum, ad terminum Vite sue annuatim percipiendum de nobis, et Successoribus nostris, in Festo Sti *Andree* Apostoli, de et in Manerio no-

stro de *Fen-Ditton* in Comit. *Cantebrig.* per manus occupatorum five ministrorum dicti manerii pro tempore existentium: ac etiam concessisse eidem Magistro *Lempter* BOUCH DE COURT pro se, et duobus Servientibus suis, et ad tres Equos suos, tociens quociens eundem Magistrum *Walterum Lempter* infra Hospicium nostrum circa negocia nostra fore contigerit. In cujus rei testimonium Presentibus Sigillum nostrum est appensum. Dat. in Manerio nostro de *Dounham*, Decimo octavo die Mensis Aprilis, Anno Domini 1478, nostreque Consecrationis Anno Vicesimo quarto.

Confirmacio Prioris et Conventus.

Et nos Prior et Conventus Eccles. Cath. *Elien.* habito super premissis diligenti ac sufficienti tractatu, Omnia et singula per prefatum venerabilem Patrem nostrum, ut premittitur, concessa, rata habentes et grata, quatenus in Nobis est, et ad nos attinet, plena deliberacione, approbamus, ratificamus, et confirmamus per Presentes. Ita tamen quod predictus *Walterus Lempter* tempore alicujus Vacacionis Episcopatus *Eliensis*, nichil pro vadiis suis, vel mensa, vel liberatura sua de Bonis Episcopatus *Eliensis*, vel Prioratus ejusdem, aut alio quocumque modo ad Ecclesiam *Eliensem* spectantibus, percipere debeat, vel quomodolibet vendicare. In cujus rei testimonium Sigillum nostrum commune Presentibus est appensum. Dat. quo ad nos in Domo nostra Capitulari vicesimo primo Die Mensis Aprilis, Anno Domini 1478.

NUMB. XXIX.

Installatio Johannis Morton Episcopi Eliensis. — è MS Bibliothecæ Harleianæ Catalog. N°. 3721, cui titulus Chronicon Ecclesie *Eliensis*.

INSTALLATIO ejus erat in Festo Decollationis Sti *Joh. Bapt.* in feria 3^{ia} A.D. 1479, sub tali modo; Predictus Dominus Episcopus existens apud manerium suum in *Dounham* discalciatus, discooperto capite, et nudis pedibus, in Rocheto, venit cum bediis in manu sua dicendo orationes Dominicas per viam, nec voluit communicare cum aliquo per viam de materiis secularibus; qui cum venisset ad Ecclesiam Ste *Marie* in *Ely*, ingressus usque ad Altare, ibidem recubuit super sedile; et dictis orationibus, obtulit super Altare 5; deinde, lotis pedibus per clericum parochialem, venit nudis pedibus ad ostium Occidentale ecclesie Cath. *Elien.*: ubi super Cathedram honeste cum pall. et pulvineribus ornatam genuflexit; deinde Dominus Prior *Rogerus Westmynstyr* tradidit ei aspersorium aque benedictæ; quo facto, idem Prior, Archidiaconus, et Subprior thurificaverunt eum; et tunc Prior tradidit ei Crucem deosculandum; quo stante, Magister *Robertus Bredon* Notarius legit coram eo Cartam Domini Regis distincte & satis aperte, in qua continebantur ea ad que obligabatur implere & custodire; et ad hoc observandum prestitit cor-

porale juramentum super Textum; quo osculato, statim Cantor incepit Preces Summe Trinitati, et cum processione solempni duxerunt eum Monachi in capis per Chorum ad Summum Altare, & ibi super Sedile honeste ornatum genuflexit; et Dominus Prior dixit super eum Orationem; et optulit super Altare 5^s; tunc perrexit ad feretrum Sancte *Etheldrede*, Cantore incipiente Responsum, *O Rex Christe, tuum*, &c. -- et ibi Dominus Prior dixit super eum, super Cathedram genuflectentem, Orationem, *Deus, qui eximie castitatis*, &c. -- et ibi obtulit 5^s; Deinde progressus ad Reliquias; quibus osculatis, obtulit 5^s. et sic processit ad omnia Feretra Sanctarum: finitque sic peregrinationibus suis, transiit ad Vestiarium, ubi, lotis pedibus per Clericum supradictum, dedit ei 5^s. -- Tunc indutus erat vestimentis Pontificalibus, et preciosis ornamentis, et sic transiens super tapeta usque Cathedram Magnam juxta Summum Altare situatam, preciose preparatam; et ibi ostensa erat Commissio ab Archidiacono *Cantuar.* missa ad Dominum Priorem, Archidiaconum *Eliensem*, et Clericum Rotulorum: quam legebat Rotulorum Clericus; cujus auctoritate Commissarii predicti imposuerunt, et eundem Reverendum Dominum Episcopum sedere in Cathedra fecerunt; quo facto, statim Cantor incepit *Te Deum laudamus*; cantando solempniter cum organis et cantoribus: et interim Dominus Episcopus surrexit et venit ad Stallum suum in Choro, et ibi Commissarii prefati imposuerunt illum in Stallum suum, Clerico Rotulorum dicente, *Nos auctoritate predicta Installamus vos*, &c. Deinde ascendit ad Sedile coram Altare Sti Petri positum, in quo residebat; et Dominus Prior ac totus Conventus singuli veniebant, et genuflectendo osculabantur manum ejus & os. Quo finito, regressus est ad Vestiarium, & preparavit se ad Missam celebrandam de Sto *Johanne Baptista*, cum omni solempnitate et Melodia, &c. Post Missam, depositis ornatibus, ivit ad Palacium, cum Abbatibus de *Bury*, *Ramsay*, & *Thorney*, Priore et toto Conventu, et cum pluribus Militibus, Armigeris, ac Generosis, ac magna multitudine vulgi; nam magnum et sumptuosum erat Convivium.

NUMB. XXX.

The Seruycis att the Stallation of the Bishop of Ely. (Morton.)—Copied from an old Book in the Heralds Office, wanting the Title-page, printed in the old black character.

¶ Le premiere Course pur lestates.

¶ Un Sotelte de lyon blanke reherfal.

Think and thanke Prelate of grate prife,
That it hath pleased the habundant grace
Of King Edward, in all his acts wise,

The to promote hydar to his please,
This lytil Yle, whyle thou hast tyme and space,
For to repayre do ay thy besy cure;
For thy rewarde of heven thou shalt be sure.

¶ Pur potage.

Frumenty and Venison.

Syngnet roasted.

Graunt luce insanis.

Roo roasted regardaunt.

Fesant roasted.

Venison in paste.

Grete Custard.

Leche porpul.

¶ Un Sotelte de Nativitate Saint John. Reherfall.

Blissyd John Baptist, for thy Name so precieuse,
Gracia Dei be thy true interpretation:

Pray ever to God that in thy lyue virtuouse,
John nowe of this See, thorough thy mediation,
Preserved be, which be this Stallacion

Thus is entred in to his Chirche,
Ther longe to endure many good dedis to worke.

¶ The Second Course.

¶ Un Sotelte le glede Ely. Reherfall.

O mortal Man, call to remembrance,
This Text, De terra tu plamasti me,
What than awayleth all worldly plesaunce,
Syche to the erthe thou shalt reuert;
De lime terre, how God hath ordeyned the,
Lodesterre of Ely, loo such is Goddys myght,
Hym therefore to serve thou art bonden of right.

¶ Gely to potage.

Stoker roasted.

Pecoke florished.

Carpe in Soppis.

Rabetts roasted.

Breme freshewater.

Freature Semeca.

Oreng in paste.

Tarte borboyne.

Leche damaske.

¶ Un Sotelte de dieu Schepard,

Ego sum Pastor bonus. Reherfall.

John, ofte reuolue in thy remembrance
That of my Grace haue made the here protector,
And of this folde I geve the gouernance;
From rauens to be ther true defensor,
Them to preserve euery tyme & ower;
Lerne of me, and do thy besy deuor
From my folke al rauens to disseuor.

¶ Responcio Episcopi.

Fayn I wolde, blissed Lorde, yf it like the,
This Cure, of thy diuine puruiaunce
And special most grace hast given me,
To gyde and rewle after thy plesaunce,
And to expel al rebel with thy maintence:
From this Chirche, good Lorde, geve me thai grace,
And so me to rewle, wyth the to have a place.

¶ The Third Course.

¶ Un Sotelte le Sentis Petre, Paule, & Andrewe.
Reherfall.

Remembre when this that shineth bright
With gret abundaunce, al is but vayn glorie;
Lerne for to die, and welcome we in you Knight,
Welcome my Priest and Bishop verily:
The holy Peter, blissed Poule, and I
Of this our Chirche make the Protector,
And of this Yle the vertuose Gouvernor.

¶ Creme of Almondes to potage.
Boateur roosted.
Perche in gelye. Curlew.
Plower roosted.
Un caste de gely florishyd.
Crenes dendose.
Larkes roosted.
Freshe Storgion.
Quinces in paste.
Tarte Poleyn.
Fritour bounce.
Leche Reiall.

¶ Un Sotelte de le Eglesure letonne. Reherfall.
Now hereby ye bee welcome into this Hal,
From the highest unto the lowest degree;
Requiring and specially praing you al,
Yield to God the louing, and not to me;
And ferthermore, of your benignitie,
Domino Deo nostro gracias agamus,
And prayse his Name with Te Deum laudamus.

¶ Syttyng at the high dees,
My Lord of Ely in the myddes.

¶ On the right hande,
The Abbot of Berye,
The Abbot of Ramesey,
The Prior of Ely,
The Mayster of the Rollis,
The Prior of Braunwell,
The Prior of Angleseye.

¶ On the other hande,
Syr Thomas Howard,
Syr John Donne,
Syr John Wyngelfeld,
Syr Harry Wentworthe,
John Sapcote,
Syr Edward Woodhous,
Syr Robert Chamberlayn,
Syr John Cheyne,
Syr William Brandon,
Syr Robert Fynes,
John Fortescu.

The Abbot of Thorney, and my Lady Brandon,
and other Estatis, in the Chambre.

NUMB. XXXI.

“ *Mandatum pro Declaratione pretenſe juridi-*
“ *tionis per Romanum Pontificem uſurpate, ac*
“ *in hoc Regno Anglie extirpate; et ut Nomen*
“ *Pape in omnibus libris eccleſiaſticis deleatur.*
—E Registro Goodrich. fo. 25.

“ THOMAS miſeratione divina Elien. E-
“ pus. Uniuerſis et ſingulis Abbatibus,
“ Prioribus, Decanis, Prepoſitis, Gardianis, Rec-
“ toribus, Vicariis, Capellanis, Curatis, et aliis
“ quibuſcunque Eccleſiaſticis perſonis ubilibet,
“ ac intra Dioceſim et Iuriſdictionem noſtras ex-
“ iſtentibus, tam in locis exemptis quam non ex-
“ emptis, Salutem, gratiam et benedictionem.
“ Acceptis Literis ſereniſſimi, illuſtriſſimi, et po-
“ tentiſſimi Principis et Domini Noſtri *Henrici*
“ *Octavi*, Dei gracia *Anglie et Francie* Regis, Fi-
“ dei Defenſoris, et Domini *Hibernie*, ac in ter-
“ ris Supremi Eccleſie *Anglicane* Capituli, Nobis
“ directis, ac ejuſdem Regie Maieſtatis ad infra-
“ ſcripta exequenda Mandatum continentibus;—
“ Vobis ex parte ejuſdem Regie Maieſtatis man-
“ dantes, etiam Nos firmiter injungendo Man-
“ damus, quatenus ſingulis diebus Dominicis et
“ ſolem nibus Feſtis proxime poſt intimationem
“ preſentium ſequentibus, intra Miſſarum Solem-
“ nia aut Veſperarum Officia, cum maior affue-
“ rit Populi multitudo in Eccleſiis veſtris, pub-
“ licetis ſeu publicari faciatis Populo verbis An-
“ glicanis integrum et perfectum tenorem verbo-
“ rum ſequentium:—“ Ye ſhall underſtande
“ that the unlawfull Iuriſdiction, Pouer, and
“ Authorite of longe tyme uſurpid by the Biſ-
“ ſhope of *Rome* in this Realme, who then
“ was called Pope, ys now by God's Lawe juſt-
“ ly, lawfully, and grownde Rayſons and Cau-
“ ſes, by authorite of Parliament, and by and
“ withe the hole conſent and agreement of all
“ the Biſhops, Prelatis, and bothe Uniuerſities
“ of *Oxford* and *Cambridge*, and alſo of the
“ hole Clergie of this Realme, extinct and
“ ceaſed for ever, as of no ſtrengithe, value, or
“ effecte in this Realme of *Englond*. In whiche
“ Realme the ſaid hole Clergie, Biſhopes, Pre-
“ latis, and either of the Convocations of bothe
“ Provinces, with alſo the Uniuerſities of *Ox-*
“ *forthe* and *Cambridge* have accordyng to God's
“ Lawes, and uppon good and lawfull reaſons
“ and grownds, knowleged the King's Highnes
“ to be the Supreme Hede in Erthe, immediate-
“ ly under God, of the Churche of *Englond*:
“ whiche there knowlege being confeſſed, and
“ now by Parliament eſtabliſhed, and by God's
“ Lawes juſtyfiabie to be juſtlye executid; ſo
“ ought every trew Chriſten ſubjecte of this
“ Realme, not onely to knowlege and obedy-
“ ently recogniſe the King's Highnes to be Su-
“ preme Hede in Erthe of the Cherche of *Eng-*
“ *lond*, but alſo to ſpeke, publiſhe, and to
“ teche there Childern and Seruaunts the ſame;
“ and

“and to shewe unto them, who that the said
“Bisshope of *Rome* hath hertofore Usurpyd, not
“onely upon God, but also upon Prynces of this
“Realme and there Progenitors. Wherefore,
“and to thentente ye sholde the better beleve
“me herin, and take and receave the trueth, as
“ye ought to doo, I declare this unto yow, not
“not onely of my self, whiche I do knowe to
“be true, but also declare unto you, that the
“same ys certyfyed to me frome the mouthe of
“myne Ordinarye the Bisshop of *Ely* under his
“Seale, whiche I have redy to shew unto you.”

“Mandamus insuper, ut in quibuscunque Li-
“bris Sacris sive prophanis intra Ecclesias vestras
“existentibus, et in quacumque earumdem parte,
“Textu, sive Rubrica, Nomen Pape nominatum
“aut signatum, ut nominetur, reperiatis; aut
“quicquid in publicis secretisve Collectis et Ora-
“tionibus, Sententiaque generali quotannis qua-
“ter declarari solita, legi, dici, aut commemora-
“ri solet aut posset, quod ad potestatis, jurisdic-
“tionis, aut autoritatis ejusdem conservationem
“aut ampliacionem pertinere; sive jurisdictioni
“sacratissime Regie Majestatis predictae quovis
“pacto derogare posse videatur, id omne quam
“celerrime, omni cum diligentia, expungatis aut
“deleatis, aut expungi aut deleri faciatis: non
“omittatis sub pena contemptus. Dat. nostro
“sub Sigillo in Manerio nostro de *Somersham* 27
“die Mensis Junii, A. D. 1535.”

Injunctiones Domini Thome Elien. Episcopi,
A. D. 1541. — e Registro Goodrich, fol. 41.

“**T**HOMAS miseratione divina *Eliensis* Episcopus ad Causas Ecclesiasticas Decidend.
“infra Dioecesim nostram *Eliensem* auctoritate regia fulcitus, Universis et singulis Rectoribus,
“Vicariis, Curatis, et aliis Ministris Curam infra
“Dioecesim et Jurisdictionem nostram *Eliensem* predictam habentibus quibuscumque, Salutem, gratiam, et benedictionem. Vobis communiter et
“divisim committimus, ac firmiter injungendo
“ex parte Serenissimi in Christo Principis et
“Domini Nostri Domini *Henrici* Octavi Dei gratia *Anglie* et *Francie* Regis, Fidei Defensoris,
“Domini *Hibernie*, ac in terris, sub Christo, Ecclesie *Anglicane* Capitis Supremi; Mandamus
“quatenus statim post receptionem presentium,
“in Ecclesiis, Capellis, et Curis vobis commissis
“diligentem inquisitionem faciatis de omnibus et
“singulis Articulis sequentibus;

“First, for all Images & Bones of suche as the
“Kyng's people resorted and offered unto.

“Item, for the Ornaments, Writtings, Table-
“Monument of Myracles or Pylgrymage, Shryne,
“Covering of Shryne appertaining to the saide
“Images and Bones.

“Item, of all those whiche do offer and sett
“up Candles agaynst the Kyng's Injunctions.

“Item, of all those that dothe not observe
“and kepe the said Injunctions accordyng to the
“meaning of the same.

“Et si quid ad notitiam vestram deducatur
“quod in duobus prioribus Articulis contentum
“sit, illud sub testimonio trium fidedignorum
“hominum sic deleatis et aboleatis, ut nulla e-
“jusdem imposterum memoria remanere poterit;
“aut si id commode facere nequeatis, Mandamus
“ut cum omni celeritate et diligentia ad nostram
“presentiam, ubicumque tunc in Diocesi nostra
“Eliensi fuerimus, id deferatis, deferre curetis.
“Quos autem noveritis quippiam adversus duos
“posteriores Articulos fecisse, non solum moneatis
“ut ab hujusmodi vanis et superstitiosis rebus, et
“transgressionem Injunctionum Regiarum abstine-
“ant; verum etiam eorum omnium et singulorum
“Nomina et Cognomina Nobis aut Vicario nostro
“in Spiritualibus Generali personaliter, aut per Li-
“teras vestras patentes, offense perpetrare seriem
“in se continentes, certificetis et significetis. Et
“hec omnia et singula facere non omittatis, sub pe-
“nis in Injunctionibus Regiis expressis. Dat. sub
“Sigillo Nostro apud *Ely* 21 die Mensis Octobris,
“A. D. 1541, et nostre Consecrationis Anno 8^{vo}.

NUMB. XXXII.

Petition of Matthew Parker ABp. Elect of Cant.
Edmund Grindall Elect of Lond. Richard Cox
Elect of Ely, William Barlow Elect of Chichester,
and John Scory Elect of Hereford, to
Q. Elizabeth. From a MS. in the Library of
Bene't Coll. Camb. Miscellanea III. p. 381.

MOST humbly shewithe your Excellent Ma-
jesty your lowly Oratours and loving Sub-
jects we underwritten, that lyke as your most
Noble Father of immortal memorie King Henry
the VIII, and your most Godly and Noble Bro-
ther King Edward the VI, in their pryncely
zeale which they bare to the state of Christ's
Faith, did moche tendre the advauncement of
Lerning, by cherishing of Students and encow-
raging of Mynsters; whereby they were the
more hable to do their duties to God, and to
serve the necessitie of the Realme, by which their
royall & pryncely affection they purchased per-
petual fame and prayse, as well within their own
Realmes, as through owte all Christendom: So
we trust undoubtedly that your Grace, being en-
dued with the benefites of knowlege farre above
any of your noble Progenitors, will be enclined
no less to the mayntenance of Lerning for the
setting furthe of Christ's true Religion, now for
want of sufficient Mynsters in great jeopardie
of decaye. In respect whereof we trust that your
Highness' gracious disposition will yet stave and
remitte this present alteration and exchange (as
we suppose in our consciences, under reforma-
tion of your great wisdom,) not mete to procede
for the inconveniences thereof now partly per-
ceyved like to ensue, and upon such good grounds
and reasons as we culde particularly describe in
wrytyng,

wrytyng, if your Highnes' pleasure were to ad-
mitte us to the declaration of the same.

And yet lest we shuld appere not to confide
your Highnes' manyfold and great charges dayly
iusteyned: In most humble wise, We Fyve under-
written, for us and the Province of Canterburie,
do offre to give unto the same yerely amongst us
one annuall Pension of one Thousand Marks
during our Lyves & contynuaunce in the Bishop-
ricks for and in consideration of the exoneration
of the said exchange.

How be it, most gracious Sovereigne, as most
obedient Subjects, in true and lowly allegiaunce
of our hertes, we sue and praye that if this our
said supplication shall not be thought mete to take
place, that yet your Highness wuld condescende
favourably to peruse thies our Petitions following;
which we be perswaded to be grounded upon nat-
urall equitie, godly conscience, and good conform-
itie, for most part of them, to the Act passed.

1. First that the Vicaridgs of impropriated Benefices
apointed in exchaunge may be made just Lyv-
ings for the Incumbents of the same: and that
the Chauncells and Mansion-Houses decayed
might be considered by survey, to some reason-
able proportion of allowaunce in the exchange.
2. Item, that yerely Pensions payable may be
reprised out of the Personage set over in ex-
change, and that yerely distributions with
the charges of Church Books, &c. may be
allowed, suche as the Injunctions bynde the
Rectories withall.
3. Item, that where the Manor with the Ma-
nors is withdrawn from us, that we be not
hereafter importably charged with the set-
ting furthe of Men to warre.
4. Item, that perquisites of Courtes, and
Woods, Sales, & other such casuall profytes
may be percels of the extent of the Manors,
and that consideration may be had for the
equivalent recompence of the same, and that
allowaunce may be made of Procurations
and Synods payeable at the Visitations of
Personages impropriat, and also allowaunce
for the meane profytes, after the deathe of the
Incumbent, to the next Successor, so charged
in the First-fruits and Tenthes, which meane
profytes were translated by Act of Parlement
from the Bishop to the Successor of the Be-
nifice, from the death of his Predecessor.
5. Item, that Fees to Keepers of Parkes and
Woods, not yet valued, be not reprised out
of the value of the Manors, and that the said
Parkes and Woods may be also valued, and
that Corne, Shepe, Fowle, and Fyssh, with
cariage & other commodities may remayne
for hospitallitie to the Bishoppes.
6. Item, that the Patronage appendant to the
Manors exchanged may be reserved to the Bis-
hoppes Sea, and that the Bishoppes of the
new-erected Churches may geve the Prebends

of those Churches, as in other is used, the ra-
ther to maynteyne lerned Men & Preachers.

7. Item, if any of the Tenthes and Rectories
be evicted from us by ordre of Lawe, that
then recompence may be made.
8. Item, that we may have remedie by Lawe,
to recover the Tenthes denyed or delayed, as
well as when they were percels of the reve-
nues of the Crowne; before which assurance
no exchange can reasonably passe.
9. Item, that no Rentes be returned for Spiri-
tual possessions which be paid into the Ex-
chequer for annual Rentes Temporall reserv-
ed, *Nomine Decima*.
10. Item, that Bishoppricks may be discharg-
ed of all Arrearages of Subsidies and Tenthes,
and other incumbrances passed in the daies
of the Predecessors, and in tymes of Vaca-
tion; and that for the first yere of our Fruits
paying, to be discharged of Subsidie, as be-
fore tyme hath ben used.
11. Item, that it may please your Highnes to con-
tinue the newe-erected Seas founded upon
great considerations by your noble Progenitor
the said King Henry; and that the Benifice of
Clyffe may be annexed to the Sea of *Rochester*;
and from the Sea of *Chester*, the Benifice late
annexed thereunto be not dismembered, in cor-
sideration of the exilitie of their Bishoppricks.
12. Item, we most humbly desyer your Maje-
stie that in consideration of our chargeable
expectation, and for the burden of necessary
furnytur of our Howses, and for the dis-
charge of the great Fees paid before, and at
the restitution of Temporalities, to suffer us
to enjoye the half years Rent last past at Mi-
chaelmas; and that our First-frutes may be
abated, and distributed into more yeres, for
the better mayntenaunce of Hospitallitie.
And that we may be put to our owne Suer-
tie at the composition of our Frutes. Which
gracious favour in the latter premisses, if your
Highnes do not shewe towards us, we shall
not dare entre our functions whereto your
Grace hath nominated us, being to import-
able ells for us to beare.

All which Petitions, most redoubted So-
vereigne Ladie, we make to your Highnes, not
in respect of private worldly advauncement
or temporall gayne, (as God knoweth our
hertes,) but in respect of Godd's glory, Christ's
Faithe and Religion, your Grace's Honour
and discharge of your conscience to all the
world, and for the honorable report of your
Nobilitie, and to the confort of the Realme.

Your Highnes' most humble Orators

Matthue Elect Cant.
Edm. Elect London.
Richard Elect Ely.
Willmus Elect Cicester.
John Elect of Hereford.

NUMB. XXXIII.

*Reasons for making a Bishop of Elye.** From the Harleian MS. N° 6850. Sect. 69. fol. 297, &c.

‘Reasons for making a Bishop of Elie.’

‘**B**Y makinge a Bishop of Elye, Your Majestie shall fill that Sea which hath ben 14. yeeres voyde. — Remove the opinion of kepinge a Bishopricke so longe in your Majesti's hands. — By placinge an olde Bishop there, it will not (lykely,) be long out of your Majesti's hands. — The Bishop's Howses of accesse, now in great ruine, will be repayred. — The Dyoces shall be vizited, touchinge Papists and yll disposed people. — And a Lease may be made from the Bishop to your Majestie, and so to be geaven to my self, of vi. c. l. by yeere of those possessions for such reasonable yeers as the Bishop may graunte, without deminishinge any usual rent for the same. — The Tennants may have thereby good and perfect estats of their Fermes from me, which will encorage them to repayre their Howses, and mayntayne their Husbandrye, which now they forbear, whyle their estats be uncertaine and doubtfull. — Your Majestie hereby shall not (as it is likely,) lose any profit, regardinge the Tenthes, Subsidies, and First-fruits you ar to receave, and to be quited of chardgs you now sustayne, how soone it is lyke to retorne to your hands againe: but rather be bettered in commoditie, yf two or three more Bishops be removed, by havinge First-fruits of every of them. — The Bishops that shall be translated will be glad so to be advaunced to Bishopriks of better renew. — And your Majestie shall inable me your most bounden pore Servante to serve you in that great and chardgeable place it hath pleased your Heighnes to appoynte me.’

‘How the filling of the Sea of Elie may be nere as valuable to her Majestie as the Sea vacant.

‘That the placinge of a Bishop in the Sea of Elie will be as profitable to her Majestie, as now the vacancye thereof is, besides divers other reasons, for the which also yt appeareth to be varie expedient: — The clere profit of the Bishopricke of Elye, as it hath ben answered to her Majestie since the Sea became last voyde, (as will appeare by the Accompts remayninge with Mr Auditor Neale,) hath been communibus annis xv. *li.* — In lieu whereof, Her Majestie by placinge a Bushopp there shall yerely have for the Tenthes thereof ccxiiij. *li.* ix. *s.* x. *d.* q. For the Subsidie yerely iiij. *li.* iii. *ss.* iiij. *li.* vj. *s.* viij. *d.* — For the First-fruits (the Tenthes beinge deducted,) each yere, by the space of

‘ij yeres ix. *li.* xiiij. *s.* ij. *d.* ob. *qu.* — in all yerely to be answered to her Majestie M. v. *li.* x. *s.* viij. *d.* ob. *q.* dim.

‘Moreover, the Bushopp of Norwich who is iiij. *ss.* viij. yeres olde beinge translated to the B. of Elie, which is of lesser chardge and jurisdiction, there will come to her Majestie for the First-fruits of the Bushoprick of Norwich at least viij. *li.*

‘And so it appeareth that her Majestie shall take profit, and not any losse by the placinge of a Bushopp in the Sea of Elie.

‘By occasion also of this translation, divers other removes may become verie profitable to her Majestie, viz. The First-fruits of the B. of Hereforde, by that B. remove to Norwich vij. *li.* — The First-fruits of the B. of Chichester, by his remove to Herefford vi. *li.* — The First-fruits of the B. of Chester, by his remove to Chichester iiij. *li.* — And the like out of the B. of Peterborowe, by his remove to Chester iii. *li.* — In all MM. x. *li.*

‘Furthermore the B. of Elie beinge bestowed upon so olde a Man as the B. of Norwich, is vearie likely shortly to be againe at her Majestie's disposinge.

‘Divers Services ar to be performed by that B. as findinge of Horse and Men in tyme of War, &c. — The Clergye will like well of fillinge the Sea that hath been so longe vacant, and the opinion of keepinge a Bishopricke so longe in her Majestie's hands, will be removed. — The B. Houses of accesse by the long vacancye growen in great decaye, and many Tenements within the B. houlden at will, and by uncerteine estates, (and therefore much ruinated to the impoverishinge of the Sea,) hereafter will be repaired and kept in good order. — The number of Papists by the longe want of a B. harbored and increased in that Diocesse will be diminished.’

‘Small losse to her Majestie yf the L. Keeper have a Lease of parte of the Landes of the Bishoppricke of Elye.

‘Your Majestie may make a Bishopp of Elie, so as little or no losse of profit will be to your Majesty, for the reasons following.

‘Your Majesty shall have of the B. of Elie in Tenths yerely ccxiiij. *li.* ix. *s.* x. *d.* q. — For every Subsidie out of the same ccc. iiij. *ss.* iiij. *li.* viij. *s.* — For the First-fruits of the same, being M. ix. *li.* xxi. *li.* viij. *s.* viij. *d.* to be paid in three yeres, will be per annum vj. *li.* viij. *s.* x. *d.* — And your Majesty shall have the First-fruits of the B. of Lincoln, Worcester, Chichester, or of the Livings of the Dean of Durham, or of some other Ecclesiasticall person woorthy or meet for that Dignitie, which will be at the least

* They appear to have been drawn up by Sergeant Puckering, sometime Lord Keeper of the Great Seal, by way of Petition for himself, in recompense of his Services. N. B. Bp. Cox died July 22, 1581; and this was wrote when the See of Ely had been 14 years vacant; and therefore about the Year 1595.

least viij. *li.* within three yeres, and wil be per annum cclxvj. *li.* xij. *s.* iij. *d.*—And so your Majestie may have by making a B. of Elie in profit yerely during three yeres M.v. iij. *li.*— which is as much as now is cleerly answered to your Majesty for the B. of Ely, as will appeer by the Auditor's accompts.

But it may be objected, that if the B. live after three yeres, then her Majesty shall have losse. — For answer thereunto, — Such one may now be appointed B. of Elie, as shal be thought woorthy to be removed and advanced to some other of the better Bishopricks, when they shall fall void; unto one of which (if any of them so happen to become void within three yeres, as likely it may be,) Your Majesty may translate that B. of Elye to such See vacant, and so have Elie in your Highnes' hands again, as now you have; — Or if your Majestie please to make him first B. of Elie whom your Highnes intends to make B. of Winchester, and keep the revenues of Winchester in your hands for a yeer, untill you shall please to remoove Elye to Winchester; then Your Majesty shall have more profit therby, than now you have, (for that Winchester B. is per annum clare MM. iij. *li.*) and then have Ely into your hands again, as before.

For a Leas of part of the possessions of Elye.

Yt may please your most excellent Majestie, to graunte me, (your most bounden Servante,) your princelie favor, that I may have a Lease of parte of the possessions of the Bishoprike of Elye, not exceedinge a thirde parte thereof in valew, for such reasonable terme of yeeeres, as the Bishop may graunte unto your Majestie, yeeldinge to the Bishop and his Successors the best accustomed rents, now or at any tyme heertofore answered to the Bishop for the same, & performinge all usual covenants for payment of Rents and doinge reparations. — For the accomplishment whereof, yt may please your Majestie to translate one of the oldest Bishops, whoe may make the same Lease, by whose great age, it is likeley, the same Bishopricke will not tarie longe forth of your Majestie's hands.

I fynde no other suit so fitt for your Majestie to graunte me, as this; for the exchanges, fees, fermes, and Leases of your Majestie's owne Lands, ar to be taken from your owne selfe, and from your Royal revenews. — And Licences for transportations, or things forbidden, ar not so fitt for your Majestie to graunte, nor for me to aske.

Objection. — Yt may perchance be objected, that your Majestie havinge now the renew of the Bishoprike, doth forgoe the same, by makinge a Bishop.

Answer. — Your Majestie, by geevinge the Bishoprike, shall have the First-fruits, which is one yeres profit, and the Tenthes and Subsidies besides, which you cannot have whilest the Bishoprike remayneth in your Majestie's hands, which together (as I take it,) will be as profitable to your Majestie, as it is, now the Bishoprike remayneth in your hands. — And your Majestie shall hereby have moreover the First-fruits of that Bishoprike, from whence your Majestie shall be pleased to translate a Bishop to Elye, and also of so many as you shall be pleased, by that occasion to remove or translate.

Objection. — The Clergei-men may perchance thinke your Majestie doth decrease the revenews of the Church, by makinge a Lease of the Bishop's Lands.

Answer. — So longe as the inheritance, and the ordinarie rents of the Bishoprike is not diminished, thei can not thinke any thinge thereof; but rather may be glad, that after so longe vacancei, your Majestie will be pleased to make a Bishop; because ther will be one Sea more filled then hath ben many yeres heretofore. — And wher for wante of a Bishop, a great number of Papiests ar harbored in that Dioces, and the Bishop's howses much decayed, your Majestie by makinge a Bishop may easely remedy these inconveniences. — And moreover, if your Majestie make a Bishop of Elye, he is to doe Your Heighnes divers Services, as fyndinge of Men and Horses in tyme of Warr, &c.

NUMB. XXXIV.

The Boke of the erection of the King's newe College at Elye, with the Names & Portion of livinge assigned to the Deane, and all other Officers appointed for the accomplishment of the same. — From a MS in the Library of Bene't College Cambridge, intituled MS Miscellanea XX. pag. 293.

The Dean there.		<i>l.</i>	<i>s.</i>	<i>d.</i>
Robert Steward late Priour there to have		120	7	6
Eight Prebendaries there.				
Richard Coxe Doctor of Divinitie to have		20	0	0
Matthewe Parker Doctor of Divinitie to have		20	0	0
William Mayne D ^r of Lawe to have		20	0	0
Giles Ayer Bach. of Divinitie to have		20	0	0
William Lyson a Master of the Chauncery		20	0	0
Sir John Custons late Munke there.		20	0	0
Sir Robert Hamonde late Munke there		20	0	0
Sir John Warde late Munke there		20	0	0
		160	0	0
Eight				

A P P E N D I X.

*41

Eight Peticanons there.	l.	s.	d.
Sir John Stoneham late Munke there	10	0	0
Sir Edmund Coots one of the same } house	10	0	0
Sir William Sewall late Munke there	10	0	0
Sir John Chateris late Munke there	10	0	0
Sir John Bury late Munke there	10	0	0
Sir John Corbet late Munke there	10	0	0
Sir Nicholas Duxford one of the } said house	10	0	0
Sir William Whittered late Munke } there	10	0	0
	80	0	0

The Gospeler and Epistoler there.			
Sir John Spirarde Gospeler there	8	0	0
Sir Thomas Mawnds Pistoler there	8	0	0
	16	0	0

Four Studentes in Divinitie.			
Thomas Wilberton late Munke there	6	13	4
John Barker to have yerely	6	13	4
Stephen Cheston to have yerely	6	13	4
	6	13	4
	26	13	4

Eight Singing-men to Sing Pr---- in the Quere.			
John Godman, a Singingman there } to have	6	13	4
James Teryngton to have	6	13	4
Matthewe Storie to have	6	13	4
William Cowpar	6	13	4
William Smith the yonger	6	13	4
John Coope	6	13	4
Thomas Benet	6	13	4
John Halfe to have	6	13	4
	53	6	8

A Scoler Master for the Querifiers.			
William Smith the elder	10	0	0

Eight Querifiers.			
Roberte Hullyard to have	3	6	8
John Cooke to have	3	6	8
John Wellx	3	6	8
Thomas Ellester	3	6	8
John Salmon	3	6	8
Thomas Coste	3	6	8
John Silvertop	3	6	8
Richard Smithe	3	6	8
	26	13	4

Two Sextens there.			
Launcelott Lubson chief Sexten	6	0	0
Roberte Wolname under Sexten	6	0	0
	12	0	0

The Scoler Master of the Grammar	l.	s.	d.
Scole.			
Ralphe Holland	16	13	4
The Uthere there.			
William Theolas	8	0	0
	24	13	4

XXIII. Scolers to be taught Grammar.			
William Larder	3	6	8
Thomas Tirrell	3	6	8
Lancelot Fleure	3	6	8
Thomas Steward	3	6	8
John Alen	3	6	8
William Slough	3	6	8
Henry Pratt	3	6	8
William Hamond	3	6	8
John Saunders	3	6	8
William Steward	3	6	8
Nicholas Floure	3	6	8
Robert Warde	3	6	8
William Parker	3	6	8
Lancelot More	3	6	8
John Crowe	3	6	8
Thomas Parker	3	6	8
Robert Bulward	3	6	8
William Bluton	3	6	8
John Skele	3	6	8
John More	3	6	8
John Thurlowe	3	6	8
Robert Odam	3	6	8
Thomas Wefeman	3	6	8
Robert Steward	3	6	8
	80	0	0

6. Aged men decayed in the King's Warres or Service.			
Richard Plumsted	6	13	4
Henry Hugans	6	13	4
Richard Jekell	6	13	4
John Rombolde	6	13	4
Lewes Walter	6	13	4
John Camton	6	13	4
	40	0	0

The Almes yerely.			
To be distributed yerely in Almes	20	0	0

Reparations yerely.			
Reparations of the Church and } Manors	100	0	0
For making and mending High-ways.			
Item to be employ'd in mending } High-ways	20	0	0

The Steward of the Lands.			
Henry Lucas Steward of the Lands } there	6	13	4

The Auditor there.			
Griffyn Tyndall Auditor there to have	10	0	0

* F

Two

Two Porters there,	l. s. d.
Thomas Parker chief Porter	6 0 0
Richard Halydoune under Porter	6 0 0
	12 0 0
The Butler there.	
Nicholas Craford to have Wages	6 0 0
Two Cookes to have ther wages and dietts.	
Laurence Alee Chief Cooke.	6 0 0
Jesopp Proper under Cooke	3 6 8
	9 6 8
The Caterer.	
Robert Berridge Caterer there to } have yerely	6 0 0
The Deane's expences in receyving of the Rents, and Surveying of the Lands.	
Item the Deane's expences, ut supra	10 0 0
Extraordinary Charges.	
Allowed for extraordinary charges } yerely	20 0 0
The Summe total of all the Charges } aforesaid	869 14 2
Sum of the ded---ns not charged, with the Tenthes in the com- } mon possession	179 6 8
For the Tenthes	83 11 6
For the First-fruts	41 15 9 ob
	125 7 3 ob

And so to bere all Charges, and to paye the Tenthes, and First-fruts, it maye please the King's Majestie to endowe the Church withe
— 995l. 0s. 17d. ob.

Richard Ryche.

NUMB. XXVIII.

*Observations on the Arms of the Bishops of Ely,
in a Letter from Mr. Cole.*

"Dear Sir,

TO acquit myself of my Promise to you at Cambridge, I here send you such Observations on the Arms of the Bishops of Ely as have fallen in my way.

1. *Hervey*. His Arms in Anglia Sacra, vol. i. p. 616. seem to be fictitious.

2. *Nigellus*. His also are certainly so. p. 618.

3. *Geoffrey Ridel*. p. 631. These appear to be more authentic: but I have no Authority to support them.

4. *William de Longchamp*. His Arms correspond with those of his Name, in an old MS of Heraldry in the Library of King's College: but

I have no other Authority than Angl. Sacr. v. i. p. 632. to ascertain them to him, which however seems sufficient.

5. *Eustace*. In my Copy of Angl. Sacr. p. 633. I have with a pen changed the *Field* of his Arms from *Ermines* to *Or*; but upon what Authority I cannot at present recollect.

6. *John de Fountaines*. His Arms, as in p. 634, of Anglia Sacra, seem to be merely chimerical and fanciful, and not at all in the style of Heraldry.

7. *Geoffrey de Burgo*. In my Copy of Angl. Sacr. p. 635. his Arms are specified by a pen to be, *Az. 3 Fleurs de Lis Erm.*

8. *Hugh de Northwold*. The Arms assigned him in Angl. Sacr. p. 635. seem to be fictitious; or probably taken from some old Seal, where it is not unlikely that the Arms of Ely and St. Edmund's Bury Abby, might be depicted.

9. *William de Kilkenny*. I know nothing more of these Arms, than in Angl. Sacr. p. 636.

10. *Hugh de Balsam*. *Gules, 3 Pales Or*; as marked in my Copy of Angl. Sacr. p. 637, which agree with the Arms of his College, except the *Border*, which is an usual addition to Religious Foundations.

11. *John de Kirkeby*. I know nothing more of his Arms than in Angl. Sacr. p. 637.

12. *William de Luda*. The Arms assigned him in Angl. Sacr. p. 638, are false Heraldry, viz. *The chief checquy Or. & Argent.*

13. *Ralph de Walpole*. I know nothing to contradict the Arms given by the Monk of Ely in Angl. Sacr. p. 639, which are the same given by the Earl of Orford.

14. *Robert de Orford*. His Arms in Angl. Sacr. vol. i. p. 640. are *Gules, 3 Crowns perforated by 3 Keys Or*; which are confirmed by their being depicted on the Tablet of the Knights and Monks of Ely, published by Fuller in his Church History.

15. *John de Ketene*. I have nothing to add to his Arms more than in Angl. Sacr. vol. i. p. 641.

16. *John de Hotham*. His Arms in Angl. Sacr. p. 643. are nearly the same with those in the Chancel window of the Church of Ditton near Cambridge, where they are thus blasoned, *Barry of 10 Ar. & Az. on a Canton Or. a Martlet Sable*. They were there in 1745.

17. *Simon Montacute*. His Arms in Angl. Sacr. p. 649, I do not know how to account for; they being not an usual bearing, for one of his profession, and at that time. I should rather think his real and true Arms are those on Stone several times to be met with on the Walls of the Cathedral, and particularly, if I remember right,
on

on the outside of the West End to the North of St. Mary's Chapel, where they are only 3 *Fusils*; and should be thus blazoned, *Arg. 3 Fusils in Fesse Gules.*

18. *Thomas de L'Isle.* His Arms in *Anglia Sacra*, p. 652, are a mere fiction: his true Coat, as I took it in 1747, from an original Seal of his, in the Archives of Corpus Christi College in Cambridge, is, *A Cheveron between 3 Trefoils slip'd.* This agrees with the Arms of the Family of *Lisle*, as I find in the aforefaid Manuscript of Heraldry, which are thus blazoned, *Gules, a Cheveron inter 3 Leaves Or, slip'd Vert:* so that the Colours are also recovered. I cannot be mistaken in this Account of his Arms, as the Deed is dated at Downham 3 Febr. 1352, and 8th of his Consecration: on the one side of the Seal at the bottom are the Arms of the See of Ely, and on the other his own Coat, as above; and between them, is a Bishop on his knees praying to the figure of a Bishop between two Women, under Canopies. What makes me so particular is, that the Arms of his Successor,

19. *Simon Langham*, are said in *Anglia Sacra*, p. 663, to be a *Cheveron embatteled Gules inter 3 Trefoils Vert*; which are almost the same assigned to *Thomas de L'Isle*: which Arms thus blazoned, *Or, a Cheveron embatteled Gules, between 3 Trefoils slip'd Vert*, are also given to *Bishop Langham* in the new Edition by Dr. Drake of Archbishop Parker's *Antiquitates Britannicæ*, p. 373. Yet on Cardinal Langham's Monument in Westminster Abby, these Arms appear not; though in the former-quoted MS of Heraldry, the Arms of Langham are as here appropriated in *Anglia Sacra*.

20. *John Barnet.* The Arms of Bishop Barnet in *Angl. Sacr.* p. 664, accord exactly with those in a North Window of Elme Church, which are thus blazoned, *Argent, a Saltire and in Chief a Leopard's Face, Sable.* There were two of them perfect in 1745, when I was there; and by one of them this imperfect Inscription — *dale Capell D'ni Johis* — which, no doubt, might be supplied by *Barnet Ep'i Eliensis.* The Arms of the See of Ely are also there.

21. *Thomas Arundel.* The Arms assigned to Bishop Arundel in *Angl. Sacr.* p. 664 are, *Gules, a Lion rampant within a Border engrailed Or.* But this is not exact; as may be seen in many places of my Collections for Cambridgeshire. His true Arms are thus Blazoned, *Quarterly, 1st. and 4th. Gules, a Lion rampant Or: 2d. and 3d. Checquy Or and Azure; all within a Bordure engrailed, Argent.* These Arms are still to be seen in the East-Window of the Chancel of the Church of Hadenham; and also in a small North window of the Chancel of Arkesden Church in Essex, where they are beautifully coloured and as neatly let into the uppermost

stone-work, and surrounded by red glass, in which are set 3 Golden Crowns, for the See of Ely: set up there probably by a Vicar of that Church, who had obligations to him. The same Arms are carved on an oaken stall in the Chancel of Landbeche Church. But I need not be so particular, as his Pedigree clearly evinces these to be his true Bearing, bating the Border, which was added as an addition for an Ecclesiastic: for which see a *Discourse by Francis Thynne, Lancaster Herald*, published by Hearne, in the *Collection of Discourses by Antiquaries.* p. 256. The Bishop was third Son of Richard Fitz-Alan Earl of Arundel, by his Wife Alice, Daughter of William, and Sister and Heir of John Earl Warren. Now the Arms of Fitz-Alan are, *Gu. a Lion Rampant Or*; and those of Warren are *Checquy Or. & Az*; and these he bore quartered with his own, in right of his Mother.

22. *John Fordham.* The Arms appropriated to him in *Angl. Sacr.* vol. i. p. 666. are, *Sable, a Cheveron between 3 Crosses flossy Or*; which are confirmed by divers authentic vouchers. The first I shall mention is one of his own Seals, appendant to an original Deed, relating to some Lands in Barham near Linton, bearing date 5. Henr. 4. The Seal was round and bigger than a Crown-piece, but the sides were broken off, and no Letters remaining but at the bottom *Gracia.* The Shield has these Arms, *A Cheveron inter 3 Crosses flossy*, and above the Shield among the open-work of the Seal, are 3 *Crowns* for the See of Ely. This Seal was lent to me by Mr. Thomas Martin of Palgrave in Suffolk in 1752. — I have observed likewise Bishop Fordham's Arms on two Gravestones in the Diocese of Ely: the Bishop having been Patron to both the Persons to whom they belong; both of whom also had been Archdeacons of Ely. The first is on the Grave-Stone of Thomas Patesly Rector of Great-Shelford; where he lies buried in the Chancel of that noble Church, which he built from the Ground, together with the Chancel and Tower: the Spire which stood on it fell down in the high Wind about the beginning of this Century: he also glazed it with painted Glass; gave Books, Images and Vestments, and all other Ornaments to it, in a most liberal and ample manner: and out of gratitude to his Patron, put his Arms on the Stone Font in the Church, and ordered the same to be put on his Tomb-Stone, with those of the See of Ely, in a separate Coat; which are again carved in Stone Shields at the turning of the Arch, which divides the Nave from the Chancel; in which last he lies buried under a large grey Marble, on which is his Effigies in Brass in a Cope, under a Canopy, above which, on either side, are the Arms of the See of Ely, and his Patron Bishop Fordham. — The other

other Grave-Stone having Bishop Fordham's Arms on it, is that of Robert Wetheringset in the Chancel of Wilberton Church; which Chancel he had rebuilt. His Monument is a large grey Marble, having his full Effigies in Brasse, habited in his Cope, and under a Canopy; above which, on either side, are the Arms of the See of Ely and those of his Patron Bishop Fordham. The Bishop's Arms, together with those of his See, are likewise carved in Stone-Shields on each side of the Arch of the West-Door of the Tower of Granchester Church near Cambridge; which ascertains the time when it was erected. In the North-Isle of the Presbytery, are his Arms in the above colours.

23. *Philip Morgan*. I know nothing more of his Arms than in *Angl. Sacr.* vol. i. p. 666.

24. *Lewis de Luxembourg*. His Arms, as in *Angl. Sacr.* vol. i. p. 668, are thus blasoned, *Chequy Arg. & Az. on the Arg. a Torteaux, on the Az. a Fleur de Lis Or*. These Arms are totally wrong: no doubt his real Arms are the same ascribed to his Niece the celebrated Jaqueline or Jaquetta de Luxembourg, Dutches of Bedford, who bore, *Quarterly, 1st. and 4th. Argent, a Lion rampant, Quevefurché, Gules, crowned, Or, for Luxembourg, 2d. and 3d. Gules: a Star of 12 Points Argent*: as in *Sandford*, p. 313. being the same which are quartered by her Daughter Queen Elizabeth Woodville, Wife to King Edward IV: At least the Lion of Luxembourg certainly belongs to him.

25. *Thomas Bourchier*. The Arms assigned him in *Angl. Sacr.* p. 671, are not exact. His right Bearing is in a Window of Fulbourn All Saints Church near Cambridge, and ensigned with a Mitre; as also in a Window of Littlebury Church in Essex: so that we may be sure these are his true Arms, put up in his Life time, viz. *Quarterly 1st. and 4th. Arg. a Cross engrailed Gu. inter 4 Water-Bougets, Sab. 2d. and 3d. Gul. a Fesse Arg. int. 10 or 12 Billets Or; all within a Bordure Azure*. The Border was added to his paternal Coat, because he was an Ecclesiastic; not in *Derogation*, as Mr. Thynne vainly imagines; but as an *honourable Difference* in regard to his sacred Character. Mr. Thynne, Lancaster Herald in 1605, has a small Tract entitled, *The Dutye and Office of an Heraulde of Armes*, published by Mr. Hearne, among many other Treatises, under this Title, *A Collection of curious Discourses, written by eminent Antiquaries*: I shall transcribe so much of it as relates to the Clergy's bearing Coat Armour; not out of any value I conceive it is worth; but to confute his foolish conjecture: it is at p. 255, where on the Margin is wrote, "Armes granted to the Clergy ought not to descend to their Children." He then proceeds thus "Armes appointed for Bishoppes ought not to descend to their Children, for they are

not within the Compasse of the Lawes of Armes; which only taketh Notice of Bishoppes as Officers of the Church, and not as military Men, or Persons to be employed in Offices or Affaires of Layemen: though some of them have been very great Souldiers. For both *Canons* and *Examples* do forbidde the same; since in temporall Actions in Tyme past it was alleadged against them. For it was objected to Hubert Walter Archbishop of Canterbury, being Chiefe Justice and Chanceller in the Time of King John, that he intermeddled in Laye Causes, and dealte in Bloode: as alsoe the same was layed against the other Cleargimen, for haveinge of Offices in the Exchequer, and the King's Howse, when some of them were Clerckes of the Kitchin, some Treasurer of the Howsehold, &c. Yea so much did our Auncestors derogate from the Armes of Bishoppes, as that the Bishoppes which were interested in the Armes of their Auncestors, might not beare the Armes of his Howse without some notorious Difference, not answerable to the Difference of other younger Bretheren: as did the Bishopp of Lincolne, Henry Burghershe; the Archbishopp of Canterbury, Thomas Arundell; the Archbishopp of Yorke, Richarde Scroope; the Bishopp of Norwiche, Henry Spencer, and many others, who did not beare the common Differences of Armes of younger Sonnes; but great and notorious Differences; as Borders, some engrayled, some with Myters, or such lyke, &c." — Thus far Mr. Thynne: to whom it may be replied, That it is no wonder, that both *Canons* and *Examples* are against the Bearing of Coat Armour by the Sons of Clergymen: since it was an Absurdity even to have supposed it; the Clergy, by the *Canons* being prohibited to marry, and consequently supposed to have no Children: therefore it can never be thought strange that there are no *Examples* of that sort. As to the Objections against Archbishop Hubert Walter, and other Ecclesiastics, who meddled too much perhaps in secular Matters, and more than was consistent with their Function as Churchmen; though this may be ever so true, yet it makes nothing to the Argument of their being disqualified to bear Armories: what was objected against these sort of Clergymen, was, not their bearing Coat Armour, or Family Ensigns of Honour, but, executing secular Offices, in Prejudice to their primary Institution and Destination in the Church. Nor is what he says, in respect to the derogation from the Clergy's Arms, less absurd: the differences born by them in their Shields, as I conceive, are rather to be looked upon as honourable, than disgraceful, or derogatory. Nor can it be reasonably supposed, that being of an Order and Profession, which was more especially held sacred in those Times, to which the Writer refers, would be so far held disgraceful, as to lessen or derogate from natural Rights

Rights and parental Prerogatives. Is it credible, for instance, that Thomas Bouchier, Bishop of Ely, afterwards Archbishop of Canterbury and Cardinal, who would take place of his elder Brother, the Earl of Essex, merely on account of his dignity in the Church; should yet be thought so much to disgrace, or derogate from the honour of his Family, as not to be suffered to bear his Father's Coat Armour, because he was an Ecclesiastic? It is ridiculous to suppose it. Accordingly we see in Fulbourn and Littlebury Church Windows, that he gave his full Family Arms, within a Bordure Azure: not as any abatement of honour, as it is reasonable to imagine; but rather as an additional and acquired mark of honourable distinction, added to his paternal Coat, as being of so great dignity in the Church. Another instance of which we have in the Bearing of Bishop Arundel's Arms.

26. *William Gray*. His Arms are thus blazoned, *Gules, a Lion rampant, and a Bordure engrailed Argent*. They are thus depicted in a Window of Botesham Church in Cambridgeshire, as also in the East Window of the North Isle of the Presbytery, and carved on Stone Shields on the walls near the said Window. This shews that Bale is mistaken when he says, p. 64. vol. 2. of his *Scriptores illustres Britanniae*, that Bishop Gray was of the Family of the Lords Grey of Codnor; who gave for their Arms, *Barry of 6 Argent & Azure*; the same as those born by the Duke of Kent. The same Arms with those in Botesham Church and Ely Cathedral, are assigned him in the *Historia Eliensis* published by Mr. Wharton in *Anglia Sacra*, vol. i. p. 672, where that learned Editor, in a Note on his Author, very justly questions the veracity of Bale, as one, not to say of a suspicious, but of a notorious Character. Mr. Wharton's Words are, *Willielmus Gray, S.T.D. illustri Baronum Gray de Codnor Familia ortus, &c. si Baleo Fides*. And we see how justly his Credit was suspected, even in so small a matter, where religious differences were out of the question: but where those interfered, he knew no moderation.

27. *John Morton*. The Arms given him in *Anglia Sacra*, p. 673, are not sufficiently explicit: they should be thus blazoned, *Quarterly Gules & Ermine, on the 1st. and 4th. a Goat's Head erased Argent*. And this agrees with his Arms carved various times on the noble Tower of Wisbeche Church, and as they were formerly in a Window of Linton Church in Cambridgeshire, as I have it in a Manuscript of Church Notes taken above a Century ago: however these accord not with those for our Bishop in his own Cathedral twice, viz. in the East Window of the North Isle of the Presbytery, and in another Window of the same Isle, where they are still remaining, and are thus blazoned, *Quarterly Gules & Ermine, on the 1st. and 4th. 3 Goat's Heads erased Argent, attired Or*.

28. *John Alcocke*. His Arms in *Anglia Sacra*, p. 675, are utterly false, as may be made evident by many authentic Vouchers: as for instance, from his own Register, where in the first Leaf, they are very nicely tricked out with a Pen, impaled with those of his See of Ely, viz. *on a Fess inter 3 Cocks Heads erased, a Mitre with Labels*. The same are on an oaken Beam in the Church of Wisbeche; and are thus in Colours on the outside of the Tower of Great St. Mary's Church in Cambridge, to the erecting of which he had been a Contributor, *Argent, on a Fesse inter 3 Cocks Heads erased Sable, Crests & Gills Gules, a Mitre Or*: in the same manner as they are twice painted on the East wall of the Chancel of the Church of Wilberton: which makes me admire, that Prior Robert Steward in his *Continuatio Historie Eliensis*, p. 675, published by Mr. Wharton in vol. i. *Angliae Sacrae*, should make so great a mistake in this Bishop's Arms, so near his own time, as to say, that he bore, *a Mitre between 3 Goats Heads: Fert Mitram inter tria Caprarum Capita*. He was probably ruminating on Bishop Morton's Goats.

29. *Richard Redman*. His Arms omitted by Prior Robert Steward, are thus given by Mr. Wharton in *Anglia Sacra*, vol. i. p. 675. *Arma sunt tria Pulvinaria*. These Arms were formerly in the East Window of the Cathedral of St. Asaph in 1645, which he had fitted up, and in many other parts of that Church. But his real Arms, as still remaining in the uppermost Window but one, to the East, of the South Isle of the Presbytery of his Cathedral of Ely, where they are thus blazoned, as I took them in 1759, are *Quarterly, 1st. & 4th. Gules, 3 Cushions en Lozenge & Tasseled, Ermine; 2d. & 3d. Gules, a Lion rampant Argent*. They are also thus on his Tomb in the Presbytery: except that the *Lion* is in the 1st. & 4th. *Quarter*, and the *Cushions* in the 2d. & 3d.

30. *James Stanley*. His Arms in *Anglia Sacra* are entirely false, and bear no resemblance to his real ones, which are thus blazoned, *Quarterly of 4 Peices, 1st. Quarterly 1st & 4th. Argent, on a Bend Azure, 3 Bucks Heads caboshed, Or, for Stanley: 2d. & 3d. party per Fesse indented Azure & Or, in Chief 3 Plates for Latham: 2d. & 3d. Gules, 3 Human Legs conjoyned at the Thighs & armed, in Triangle, Argent, Spurs Or, for the Isle of Man: 4th. as first*. These Arms are curiously carved on Wood, painted and gilt, with Crests and other Devices, and probably designed for an Ornament over a Chimney Piece, by Bishop Stanley for the Palace at Somersham or Downham; and when those Houses were demolished, became private Property. That they belonged to Bishop Stanley, is beyond all question, as the initial Letters of his Name *J. S.* occur twice on it; and on two Escallop Shells these Letters *S. J.* which no doubt allude to his Patron St. James: there are also

also on it the Arms of the See of Ely, and this Motto, *Domine Gressus meos dirige*. It was formerly in an old Brick House near the Church in Wilberton; which when Mr. Barlee of Clavering in Essex pulled down, his Tenant at the Buryfield, carried it to that House, where it was in 1759.

31. *Nicholas West*. The Arms assigned him in *Anglia Sacra*, vol. i. p. 676, are far from being compleat, as being without Colours and deficient in Description; for the *Roses* have *Leaves* and *Stalks* to them. They are luckily preserved in their proper Colours against the East wall of *Wilberton Church*, where they are thus blasoned, *Argent, a Cheveron Sable between 3 Roses Gules, seeded Or, slip'd & Leaves Vert*: which agree in general with those attributed to him in *Anglia Sacra*, on which Account those assigned him in the *MS Historiette of King's College*, which goes under the Name of *Hatcher's MS*, as they are more complex, and hardly Heraldry, are to be rejected.

32. *Thomas Goodrich*. He has no Arms assigned him in *Anglia Sacra*: yet his true Coat is happily preserved in two places, though defaced and lost on his Tomb Stone in the Presbytery. The first were in a Window in a large Brick House in *St. Radegund's Lane*, opposite the great Gates of *Jesus College* in Cambridge in 1744, and are thus blasoned, *Quarterly, 1st. & 4th. Argent, on a Fesse Gules, inter 2 Lions passant Sable, a Fleur de Lis Argent, inter 2 Crescents Or, for Goodrich: 2d. & 3d. Argent, on a Cheveron engrailed inter 3 Trefoils slip'd Sable, 3 Crescents Or, for William-son*. These are ensigned with a rich Mitre, and round the Arms is a Garland, in which at the top and two sides are these capital Roman Letters

T. E. for *Thomas Goodrich Eliensis* or *Episcopus*, with his Motto at bottom, *Si Deus nobiscum, quis contra nos?* The same Arms are engraved on a Stone Shield on the outside wall of the Gallery under the Window of the Bishop's Palace at Ely; which shews that it was built by him.

33. *Thomas Thirlby*. I have met with no Authority in Glass, Seals or Carving of Bishop Thirlby's Arms: but what I take to be equivalent to them, is this Account by Mr. *Blomesfield* in his *History of the Bishops of Norwich*, p. 392. under the Article of Bishop *Thomas Thirlby*.

"This Bishop having, (as I suppose) no paternal Arms, at first bare a *Rebus*, or *Device*
"instead of Arms, viz. *Per Pale Argent &*
"*Gules, a capital Tau counterchanged*; that
"Letter being the initial one of both his
"Names: but afterwards he bare, *Vert*, 10
"*Escallops Argent*: which Coat, I imagine,
"he had obtained a Grant for.

34. *Richard Cox*. His Arms are thus blasoned in *Hatcher's MS* of the *Provosts and Fellows of King's College*, viz. *Argent, 3 Cocks Gules, on a Chief Azure, a Pale Or, charged with a Rose Gules, inter 2 Ostrich Feathers Argent*. They are so blasoned also in the last Edition of *Archbishop Parker's Book De Antiquitate Ecclesiae Britannicae*; and I think likewise the same on the painted Picture on Board of the *Funeral of Bishop Cox* in the Bishop's Palace at Ely.

35. *Martin Heton*. His Arms on his Tomb, quite at the top under the Mitre, are still remaining; though possibly the Colours are gone: if they are, I can supply them by some *Church Notes* taken at a *Visitation* in 1684: and now in the *Herald's Office*: they were painted on the West side of the Wainscote between the Nave and Chancel of *Linton Church* in *Cambridgeshire*, viz. *Quarterly, 1st. & 4th. Argent, on a Bend engrailed Sable, 3 Bulls Heads coupé Argent. 2d. & 3d. Argent, a Man's Head coupé inter 3 Fleurs de Lys Sable*. The two Shields under the Canopy are the Arms of his two Daughters, as I take it, impaled by their Husbands Coat.

36. *Lancelot Andrews*. His Arms, as on various Prints of him in my Collection, are thus blasoned, *Argent, on a Bend engrailed, cotised Sable, 3 Mulletts pierced Argent*.

37. *Nicholas Felton*. His Arms painted in one corner of an excellent Picture, which I bought at *Slaughter Bacon's Sale*, of this Bishop, are, *Gules, 2 Lions passant Ermine, crowned Or, and a Mullet in the dexter Chief Argent, for a Difference*: it is impaled with the See of Ely and ensigned by a Mitre. This Picture I gave to Bishop *Gooch* to be hung up in the Gallery at Ely, and to belong to the Palace forever.

38. *John Buckeridge*. *Or, 2 Pales & 5 Cross Crosslets fitché en Saltire Gules*.

39. *Francis White*. The Arms of Bishop White under his Print, when Dean of *Carlisle* are not rightly blasoned; for in *Thoresby's History of Leeds*, p. 257, there is his *Pedigree* and these Arms assigned him, *Gules, a Cheveron between 3 Boars Heads coupé Argent*.

40. *Matthew Wren*. The Colours of this Bishop's Arms I had from a MS in the *Herald's Office* in 1748, together with his *Pedigree*, viz. *Argent, a Cheveron inter 3 Lions Heads erased Sable, on a Chief Gules, 3 Cross Crosslets Or*. They are the same as on his *Original Seal* which I have seen, appendant to his *Act of Consecration of Corpus Christi College Chapel in Cambridge* in 1662.

41. Ben-

41. *Benjamin Laney*. His Arms as on his Tomb under a Mitre, are thus to be blasoned, *Or, on a Bend inter 2 Fleurs de Lys Gules a Lion passant Or; a Martlet Sable in Chief for a Difference.*

42. *Peter Gunning*. His Arms on the top of his Monument under a Mitre are thus blasoned, *Gules, on a Fesse inter 3 Doves Argent, 3 Crosses patee Gules.* The same are under a Print of this Bishop by Loggan.

43. *Francis Turner*. The Arms belonging to this Bishop, as taken from an *Original Seal* ratifying a Composition for the Tythes of *Wimpole* in 1686, are thus expressed, *a Lion rampant between 3 Crosses moline:* and are thus blasoned, *Or, a Lion rampant inter 3 Crosses moline Gules.*

44. *Simon Patrick*. The Arms on his Monument in the Presbytery under a Mitre are thus blasoned, or should be, *Gules, 3 Pallets vaire Argent & Azure, on a Chief Or, a Lion passant Azure.* Though in the Print of this Bishop by *White*, the Lion is *Sable*.

45. *John Moore*. His Arms on his Monument in the Presbytery under a Mitre are thus blasoned, *Ermine, on a Cheveron Azure, 3 Cinquefoils Argent:* which exactly correspond with those under his Print by *White*. Though in my *MS Heraldry* the Cinquefoils are *Or*.

46. *William Fleetwood*. The Arms of this Bishop, as on his Monument, ensigned by a Mitre, are *Party per Pale nebule Or & Azure, 6 Martlets counterchanged.* But his Arms on the Plate of the Ichnography of the Cathedral of *St. Asaph*, which is inscribed to him, have *a Crescent in Chief for a Difference.*

47. *Thomas Greene*. This Bishop's Arms ensigned by a Mitre, in the Presbytery at *Ely*, are thus blasoned, according to the Print of it, *Azure, 3 Bucks trippant, Argent:* but in my *MS Notes of Heraldry*, they are, *Vert, 3 Bucks trippant Or.*

48. *Robert Butts*. His Arms, as on his elegant Monument in the Presbytery, are thus blasoned, according to your Print of it, *Azure, on a Cheveron inter 3 Mulletts of 6 Points Or, 3 Lozenges Gules.* But, I conceive this is not exact, as I have a Note where they are *Estoiles of 6 Points*, and not *Mulletts*; and this I know to be the Bearing of *Sir William Butts*, Physician to King *Henry VIII*, whose Monument is in the Church of *Fulham*, and of which I took Memoranda in 1758; and from him, I know Bishop *Butts* was said to be derived. Which Arms with *Estoiles*, are various times in the Windows of *Bene't College Hall*, where one of this Family was formerly Master.

49. *Thomas Gooch*. The Arms, as Bishop *Gooch* bore them, before the Family was advanced to a *Baronetship*, were, *Party per Pale Argent & Sable, 3 Talbots passant counterchanged; on a Chief Gules, 3 Leopards Faces Or;* which correspond with those under his Print by *Mac Ardell*, and his Episcopal Seal when Bishop of *Norwich*; but afterwards they were somewhat altered.

50. *Matthias Mawson* gives for his Arms, as I have seen them on his Coach formerly when Bishop of *Landaff*, *Party per Bend sinister Argent & Sable, a Lion rampant Or.* Yet they are engraved in one of *Buck's Views of the Castle of Cambridge*, inscribed to him, as being then Vice-Chancellor, in this manner, *Ermine & Ermines per Bend sinister, a Lion rampant Argent.*

If you think these Observations worth printing, they are much at your Service. But as this, as well as the other Paper on the *Ely Tablet*, are on a subject not much valued by the Learned, you are to do with them as you shall judge proper. I am sorry I have been so petulant in the former Paper on *Dr. Stukeley*, whose Memory I venerate, and whose Abilities as a Scholar and an Antiquary are too eminent to be affected by my too hasty Remarks made in the Life-time of that most ingenious and lively Writer.

I am, Sir, &c.

Blecheley near Fenny Stratford,
Decemb. 14. 1766.

W. COLE."

The Arms of the Bishops of *Ely*, (Plate XIV.) are taken chiefly from *Anglia Sacra*, vol. i. 616, &c. and from a modern copy, now in the Palace at *Ely*, blazoned and continued down to Bishop *Butts's* time: Except only two or three instances, where there seemed to be good reason for departing from those Copies: — particularly Bishop *L'Isle's* are altered from those in *Anglia Sacra*, vol. i. p. 652. and others inserted, on Mr. *Cole's* authority, being taken from an Original Seal of that Bishop: — Cardinal *Luxemburgh's* Arms, though inserted on the authority of *Angl. Sac.* p. 668, I am afraid are not the true ones; for which see Mr. *Cole's* remarks above. — Bishop *White's* Arms are inserted, (instead of those in the *Ely* Copy,) on Mr. *Thoresby's* authority, as cited by Mr. *Cole*. — The Plate of the Arms of the Bishops of *Ely*, not having been printed off at the time of Bishop *Mawson's* death; I have added those of *Dr. Edmund Keene* the present Bishop, which are, *Argent, a Talbot Sable, collared Or, on a Chief indented Azure 3 Cross-Crosselets Or.*

J. B.

Feb. 4, 1771.

NUMB. XXXVI.

MONUMENTAL INSCRIPTIONS in ELY CATHEDRAL, *exclusive of those of the BISHOPS and other DIGNITARIES, which are inserted under their Names in the foregoing Work.*

In the North Isle of the Choir.

On a black Marble.

In the Vault underneath, with the late Bishop Patrick, lies his pious Relict Mrs. PENELOPE PATRICK, aged 79; who died at St. Edmund's Bury the 10th of April 1725. Esteemed when living by all that knew her, and very much regretted by the Poor of that Place, who now feel the want of her frequent and liberal Benefactions.

On a black Marble.

Quod Mori potuit lectissimæ deſyderatiſſimæque Conjugis
ELISABETHÆ BELLOMONTANÆ,
Sub hoc Marmore condidit moeſtiſſimus Maritus J.B.
Hujus Eccleſiæ Canonicus:
Maij xxxi. An. Dom. MDCLXII.

*The following is the modern Inſcription on the Tomb of
Bishop HOTHAM, refer'd to, p. 158.*

JOHANNES HOTHAM Episcopus Eliens. Angliæ Cancellarius,
deinde Regni hujus summus Thesaurarius, hic situs est.
Vir prudens, justus et munificus; qui Lanternam a ruina,
sumptu 2406 l. 16 s. 11 d. in hanc admirandam structuræ
formam restituit; et in perficiendo Presbyterio supra
2034 l. 12 s. 8 d. expendit. Cum annos 20 sedisset, Paralysi
per biennium correptus, tandem decessit Januarii 25, 1336.

In the South Isle of the Choir.

On a black Marble.

To the Memory of Mrs. CATHARINE GREENE, Relict of
the late Lord Bishop of ELY; who died the 20th of
March, 1770. Aged 88.

On a black Marble.

Here lyeth the Body of Mrs. ANNE FLEETWOOD, (Relict of
Dr. William Fleetwood late Bishop of Ely.) She departed this
life the 5th of March 1725. In the 75th year of her Age.

On a plain mural Tablet.

Here lies the Body of FRANCIS SAY, Esq;
Principal Librarian to her late Majesty Queen CAROLINE,
And Secretary to five succeeding Bishops of this Church,
with whom he lived beloved and honoured:
He very early in Life gained great Reputation,
And preserved it unblemished to his Death.
No one was ever less covetous of Praise,
No one deserved it more.

He was a Scholar, a Gentleman, a Christian;
Learned without Pedantry, Complaisant without Flattery,
And Religious without Ostentation:

These rare Endowments

Were accompanied with a singular Modesty,
Which casting a Beauty and Lustre over them,
Made His, as far as might be, a perfect Character.
He was just to all the World, and the World was just to him;
For he had not an Enemy in it.
He died Sept. 10, 1748. Aged 58.

On a brass Plate.

Yet a very little And He that will come
Shall come

The Speritte and the Bride say come
Lett him that heareth say come
And lett him that is athirst say come
Even soe come, Lord Jesu &c.

URSULA { TYNDALL by Birth
COXER by Choice
UPCHER in Age and for Comfort.

Anno Ætatis 77.

On a black Marble.

Here lieth the Body of ELIZABETH ALLIX, Sister of the late
Rt. Hon. Sir Charles Wager, and Wife of Peter Allix, D.D.
Dean of this Church. She departed this Life the 2d of
December, 1750.

On a black Marble.

Here lyeth the Body of ANNE JONES, Wife to THO. JONES Pre-
bendary of this Church; a Woman of uncommon virtues
and endowments, a dutiful Child, a chaste loving Wife, a
tender careful Mother, constant in her Devotion, extensive
in her Charity, affable in her Conversation, and exceedingly
ingenious in every thing she took in hand. She was born 17
July 1698, was marry'd 11 Jan. 1717, and dy'd 29 June 1730.
She had 10 Children, of which one, a Girl still-born, lyeth
in Downham-Chancell, 3 viz. Jane, Elizabeth, William, lye
by her here on the North-side. Her Husband hath caused
this Stone and Inſcription to be ſet on her Grave, in token
of his ſurviving great Love and Esteem for her.

Tu, Lector, eandem

mortis iture viam,

Æternaturos mores imitare ſepultæ,

Optato felicem exitum,

Nomen ama meritum.

On a black Marble.

Here lyeth the Body of KINGSMILL LUCY of Castle Cary in
the County of Somerset, Esq; Eldest Son of William Lord
Bishop of St. David's, in hope of a joyful Resurrection;
who departed this Life June the XII. M.DC.LXXIV.

On a white Stone.

In Memory of ANTHONY Son of WILLIAM THOMPSON of
Somerſham in the County of Huntingdon, Esq; and Rebecca
his Wife. He died March the 5th, 1738, Aged 13 years.

On a mural Monument. Plate XXXVIII.

Ante novem Luſtra ac Tædas Thalamumque ROBERTI
Condedit hic Fatum Feſtinans Oſſa STUWARDI.
Neſcius hoc ne ſis, volui Te Scire, Viator:
Quod ſi plura cupis Generoſam conſule Famam.
Virtutis Præmium Virtus. 1570. Jan. 19.
Vivere quiſque diu quærit
----- poteſt vivere Nemo diu.

On a mural Monument. Plate XXXIX.

Secundum Redemptoris Mundi Adventum expectat hic
MARCUS STEWARD Miles Filius Hæreſque Simeonis Steward
Armig. Nicholai Steward Armig. geniti, qui Patrem habuit
Richardum Steward Armig. quem genuit Thomas Steward Ar-
mig. Johannis Steward Militis Filius; Cujus Pater erat
Johannes Steward Miles, ejus Nominis in Anglia primus:
Qui cum Jacobo Roberti Scotiæ Regis Filio in Franciam tranſ-
fretans (Regnante tunc Henrico quarto) vento eorum propo-
ſitis oppoſito, in Anglico Littore applicuerunt, ubi diu poſt
pro Obſedibus cuſtodiebantur. Sed hic Johannes in Amo-
rem cujuſdam Virginis Anglica Nomine Maria Talmach
incidens, obtentaque Johanne Regine venia, Cui Ancilla in-
ſerviebat, Eam in Conjugem cepit, in fidemque Regis Hen-
rici dum vixiſſet, ſolemniter eſt juratus.—Hujus Pater erat
Alexander, quem genuit Andreas Steward Miles, Alexandri cog-
nominati Ferociſ Filiorum Natu Minimus, Cujus Pater erat
Walterus Steward a Dundevale in Scotia dictus. Sed Primus
in Genealogia hac Summonitus, et hic Sepultus, ex Anna
una Filiarum et Hæredum Roberti Huicke Armig. Regine
Elizabethæ Medici primarij varios habuit Liberos, quos
omnes inadultos fata rapuere præter duos, Mariam ſcilicet
Gulielmo Forſter in Com. Berk Militi Nupſam, et Simeonem
Steward Militem Hæredem Filiumque ſuum moeſtiſſimum
qui

qui pii officii singularisque erga Patrem Amoris gratia hoc posuit Monumentum, ubi Inscriptum legas, quod, cum multis Annos et Bello et Pace pro Patria feliciter egisset, Ætate tandem confectus, Militari Cingulo et Auratis Calcaribus a *Jacobo* Rege Serenissimo Ornatus, Senex pene Octogenarius fatali Necessitati concessit, 28 *Februarii*, Anno Salutis, 1603.

Premendo Sustulit. Ferendo Vicit.

On a Monument affixed to a Pillar.

Hic inhumatus jacet Optimæ Spei Adolescens GULIELMUS LYNNE Gen. Filius et Hæres Apparens *Johannis Lynne* de *Basingborne* in Com. *Cantabrigiæ* Ar. Qui quidem *Gulielmus* immatura Morte peremptus in ipso Ætatis flore 27 agens Annum 22 Die *Julij* Anno Dom. 1589, non sine Summo Amicorum omnium Dolore, ex hac Vita placide Migravit: Unicam relinquens Filiam *Catherinam* Scilt. quam etiam 17 Die *Martij* sequentis præpropere Mors Eadem Naturæ Lege Natam Sustulit, Simulque jam cum Patre æterno fruitur Gaudio.

Posuit Amoris ergo Mœstissima illius Conjux *Elizabetha* Filia *Gulielmi Stewardi* de *Ely* Arm.

On a black Marble.

Here layeth the Body of Mr. JOHN MINGAY, who was Receiver and Expenditor to the Right Honourable the Corporation of the Great Levell of the Fenns for 18 years, and was buried 14 July, 1676.

Here lyeth the Body of Mrs. JANE MINGAY, late Wife to Mr. *John Mingay*, whodied the 13th of Nov. 1672. Aged 57.

On a black Marble.

M. S.

JOHANNIS CREMER Generosi,
Ex Antiqua familia in Agro *Norfolciæ* oriundi;
Necnon Uxoris ejus ALICIÆ CREMER,
Algernoni Peyton de *Doddington*, S.T.P. Filix nati minimæ;
Quæ prioribus nuptiis *Johanni Nelson*, LL.D.
Feliciter etiam conjuncta fuerat.

Hic } obiit anno ætatis { 39 } Salutis { 1703.
Illa } 67 } 1717.

On a black Marble.

Underneath this Marble lie the Remains of
ELIZABETH WILLIAMS,
Relict of the Rev. *Philip Williams*,
Who was Rector of *Doddington* in the Isle of *Ely*.
They lived thirty years together
Constantly employed in works of Piety,
Charity, and Hospitality.
She survived her Husband sixteen years,
And upon April the 6th, 1736,
Resigned her truly pious Soul into the hands of her Maker.
Also close by her lies her Daughter, ALICE WILLIAMS,
Who died December the 29th, 1739,
Possessed of the amiable Virtues of her most excellent Parents.

On a black Marble.

ROBERTUS MINGAY Arm. *Norfolciensis* Ortu;
Johannis Mingay Armigeri Filius Nati Tertius;
Aulæ de Clare in Academia *Cantabrigiensi*
Non ita pridem Socius,
Societati Conservatorum Paludis *Bedfordiensis* dictæ,
Ingenti sumptu jam olim Exhaustæ
TRIBUNUS ÆRARIUS
Sub hoc Tumulo Sepultus jacet.
Vir utique Probitatis in omni Fortuna exercitæ,
Vitæque Morumque vix imitabile Exemplar.
Utpote qui se præstitit, DEO, nempe,
Solennes juxta Ecclesiæ Anglicanæ Ritus,
Cultorem vere Religiosum;
Patriæ et Societati prædictæ singulari officio Devotum;

Conjugi Fidei, Fidissimum Conjugem;
Multæ Soboli, Patrem Providentissimum;
Amicis omnibus, ex animo Amicum;
Atque vel eo Nomine Desideratissimum;
Pauperibus omnigenis diffusa Charitate Notissimum.
Hunc (Quem defunctum pari et æquo Luctu Prosequuntur
Patria, Salutis Pacisque tantum non viduata Custode;
Conjux Mœstissima, dejecta Conjuge;
Proles indulgentissimo orbatâ Patre;
Sanguine Propinqui, Amicitia Propinquiore,
Utrique optimo privati Consortio;
Egeni Thesaurario, orbi Orphanotropho destituti;) Amplissimo Beatæ Immortalitatis præmio Donavit
DEUS OPTIMUS MAXIMUS
Calendis *Junij* XII. Anno Salutis nostræ MDCLXXXIX.
Ætatis suæ xxxv.

On a mural Monument.

PETRUS GUNNING

Annum apud Academicos ætatem ingressus,

Ætatis vero ætatem,

Suorum Spem moriens fefellit

5to. Cal. Feb. 1735.

Fratrem præpropere secutus

HENRICUS GUNNING

6to. Cal. Mart. proxime sequentis

e vita excessit Annos nat. 8.

Post annos demum viginti et octo

supra dictorum Pater

HENRICUS GUNNING A.M.

Coll. Div. *Joh. Cant.* olim Socius,

Eccles. hujus Præcentor, et Præl. Theol.

Cum suis requiescit.

In the South Transept.

On a white Stone affixed to the Wall.

Under this Marble lyeth the Body of JOHN THOMPSON, Gentleman, late Chapter Clarke of this Church, who was buried the 10th of July, Anno Dom. 1615.

On a black Marble.

Here lyeth the Body of CHARLES LANY, Son of *John Lany*, Esq; who died the 26th Day of September Anno Domini 1670, in the sixth year of his age.

On a black Marble.

His jacet HENRICUS GILBERTUS,
Eximix quidem (dum vixit) spei, singularisque (etiam præter ætatem) puer indolis: Qui Coelis animam dedit Anno Octavo Ætatis suæ, Id. Sept. A.D. 1676.

On a Free Stone.

Here lyes interr'd the Body of WILLIAM BLUDWICKE of *Ely* Gent. Son to *Wm. Bludwicke* of *Huntingdon*, Gent. who departed this life on the 12th of August 1687, and in the 22d year of his age.

On a Free Stone.

Here lyeth the Body of GEORGE MAYFIELD, Son of *George Mayfield* of *Ely*, Gent. Who departed this Life November 25, Anno Dom. 1695.

On a black Marble.

M. S.

GULIELMI SILVERTOP hujus Ecclesiæ Canonici Minoris, Necnon Scholæ *Eliensis* Archididascali, qui obiit 4to Die Aprilis, Anno Dom. 1690, Ætatis suæ 38vo.
Vir utpote qui facili felicique Ingenio se omnibus gratum carumque reddidit: Cum vero semper impense cavebat, ne vel Dei Honorem, vel Hominis famam Lingux petulantia læderet, Et Deus et Homo (uti spes est) ILLO DIE Beatum prædicabunt.

• G

On

On a black Marble.

Reliquiæ Reverendi Viri SAMUELIS HUTTON,
hujus Ecclesiæ Minoris Canonici,
Sub hoc Marmore Conduntur.
Edita etiam Dilectissima Conjux
in Eodem Dormit Tumulo.
Et Hic et Illa exoptantes hinc evocari.
Vir si quis alius Integerrimus,
Qui omnimoda Canonicatus sui Munia
Ea sedulitate, ea Pietate atque illibata
Probitate Administravit,
Ut pene iniquum esset non Sperare
emigrantem Animam in Beatorum
Sedem esse cooptatam.
Obiit 3. Octob. A.D. 1718. Ætat. suæ, 68.
Juxta hoc Marmor quiescunt
Stephanus Hutton Frater, *Maria Pardoe*
Sotor Ejusdem *Samuelis Hutton*.
Hæc Obiit 18 Julij, 1718. Ætat. suæ 69;
Ille 24 Aug. 1696; Ætat. suæ 33.

On a Free-Stone.

THOMAS INGRAM died May the . . . 1699, aged 53 years.
He was one of the Virgers of this Church, and Clerk of
the Works of the Revd. Dean and Chapter.

On a mural Monument.

Near this place lyeth the Body of Dame MARTHA, Daugh-
ter of Mr. *Penington* of *Suffolke*, Relict of *Robert Mingay*,
Esq; and Wife of Sir ROGER JENYNS, who put up this
for her. She dyed A.D. 1701, and was according to her
desire interred in the Vault here with her first Husband.

On a black Marble.

In Memoriam PHILIPPI WADE Gen. hic loci
In Spem vitæ Æternæ dulce obdormientis:
Dum inter vivos ageret
Ecclesiæ Filij Pientissimi,
Superiorum Cultoris Devotissimi,
Pauperum Patroni Beneficentissimi,
Nunc tandem Omnibus Desideratissimi.
Denat. quinto Die Decembris
Anno Domini 1710. Ætat. suæ 67.
Necnon *Elizabethæ* ejus Conjugis
Cum unicæ tum Dilectissimæ:
Mor. 7 Die Augusti Anno Dom. 1708, Ætat. suæ. . .
Hoc Marmor Gratitude Ergo
Posuit *Augustinus Wade* Nepos
Observantissimus. Anno Domini 1713.

On a grey Marble

ELIZ. UXOR JOHANNIS BARNES, Gen. obiit 29 die Aug.
Anno Domini 1719. Ætatis 87.

On a black Marble.

Under this Marble
(Among many of his Relations)
Lieth the Body of JAMES HAWKINS B.M.
46 years Organist of this Church:
Eminent in his Profession,
Regular in the discharge of his Duty,
Chearful and friendly in his Deportment.
He died the 18th of October 1729,
In the 67th year of his Age.
Also of MARY his Wife,
Inferior to none in conjugal Fidelity,
Prudent in the management of her Family,
The tender Mother of ten Children:
Having been long afflicted
With bodily Infirmities,
She piously resigned her breath,
The 3d of Jan. 1732. Aged 69 Years.

On a white Stone.

Here lyeth the Body of THOMAS ROBINS, who in the se-
veral Capacities of Virger of this Church, Clerk of the
Works, and Bayliff to the Dean and Chapter, approved
himself for many years diligent, understanding, and faithful.
His singular readiness in Business, join'd with the greatest
Probity, render'd him useful to many; as his modest and
obliging Behaviour gain'd him the Love and Esteem of
All. He dy'd in the year of Christ, 1737. of his Age 56.
Also here lye the Bodies of MARTHA the Daughter, and
THOMAS the Son of *Thomas* and *Mary Robins*.
She { dy'd in the year of Christ, 1738 } of her Age 25.
He { dy'd in the year of Christ, 1739 } of his Age 23.

On a mural Monument.

Near this place lies the Body of RICHARD ELLISTON,
A Youth of such uncommon Endowments,
singular Modesty, sweetness of Temper and
engaging Behaviour,
as could not but inspire his Relations and Friends
with the most pleasing Hopes.

But alas! all these were defeated in an instant,
by an unhappy death occasioned by the kick of a Horse,
August the 4th, 1744; in the 13th year of his Age.

Heu! puer infelix, quæ causa indigna venustos
Fœdavit vultus, atque inopina tulit?
Quæ fera vis fati te funere merfit acerbo,
Luminaque æterno clausa sopore, dedit?
Heu! cadis ante diem, et properata morte tuorum,
Qua sola poteris, irrita vota facis.
Has saltem lachrymas, veri hæc monumenta doloris,
Accipe, et extremum munus amantis habe.

In the North Transept.

Jacet hic GULIELMUS GENT Generosus Filius Geo. Gent,
de *Steeple Bumstead* in Comit. *Essex* Armigeri.
Obiit 10 Decemb. Ann. Dom. 1690. Ætatis suæ 45.

On a Free-Stone.

THOMAS STUART, Esq; died May the 19th, 1744.
Near this place lyeth the Body of THOMAS STUART late of
Stuntney, Esq; Father of the said deceased.

On a Free-Stone.

Here lyeth interred the Body of THOMAS POOLE, senr. who
was one of the Virgers belonging to this Church. He de-
parted this Life August the 12th, A.D. 1728, aged 55 years.
Also ANNE POOLE Wife of the said *Thomas Poole*: She de-
parted this life April 4, A.D. 1726, aged 63 years.
And also ELLEN NEWBAN their Daughter, who dyed
Oct. 28, 1757, aged 57 years.

On a Free-Stone.

To the memory of JOHN SCOTT, who died March the 15th,
1733, Aged 42 years. He was a dutiful Son, a generous Bro-
ther, a true Friend, an honest Man, and a good Christian.
Go, Reader, and deserve such a Character.
Hoc Marmor mœrens posuit *Guliel. Norfolk*.

On a Free-Stone.

Here lyeth the Body of ANDREW BRIGNAL, one of the
Lay-Clerks of this Cathedral Church. He departed this
Life Sept. 22, 1735, in the 56th year of his age.

*In the Nave.**On a white Stone set in one of the Pillars.*

Hic Situs est *Gulielmus Boissus* Filius *Johannis Boissij* Unius Ex
Ecclesiæ Hujus Canonici, Postquam Annos vixisset plus
Minus Triginta, Tabo Consumptus Placide Animam
Deo Reddidit Novembris 13, Anno 1637; Posteroque Die
Sepultus est, Multis ex omnibus Ordinibus Funus Per-
amice Prosequentibus.

*In St. Mary's Chapel, now used as a Church
for Trinity Parish.*

On a black Marble.

M. S.

Here lyeth the Body of HESTER the Widow of HENRY BENYON, Gentleman: She was born the 10th of Feb. A.D. 1619, and dyed the same day of that Moneth, aged 74.

On a black Marble.

Sub hoc Marmore quiescit

Quod Terram sapuit THOMÆ BENYON Clerici.

Nos Mori docuit 25 Feb.

Anno Salutis nostræ 1689-90:

Amicorum Affectibus, grata omnium Memoria
Nunquam Moriturus.

On a brass Plate.

Here lyeth the Bodie of ROBERT WAGSTAVE late of this Parrish of *Elley* Fishmonger, who departed this life the 15th of Decemb. An. 1616: And also the Bodie of MARY his Wife, who after his Decease was wife unto *Stephen Baetman* of this Parrish, who likewise departed this Mortall Life, with full Assurance to receive a Life Eternal, 12 Day of *Aprill*: 1621:

Whose Fayth was such she gladly tooke this cave:
That she to CHRIST an *Exodus* might have.

On a black Marble.

Here lyes the body of WILLIAM WAGSTAFFE Gent: who dyed 24 Feb. 1675.

Also of *Abigail* his Wife, who dyed April 12, 1693, Aged 78.

On a black Marble.

H. S. E.

THOMAS MARCH Armiger *Gulielmi March* Armigeri Filius;
Qui cum notus omnibus vixisset,
et Sibi maxime,

Anno Dom. MDCLXX, Ætatis suæ LXix,

Inter Mortales desiit vivere.

Domina *Dorothea Norton* Filia ejus unica et Hæres in
mandatis dedit, Moriens MDCCIII,

Ut charissimi sui Patris reliquiis hoc Saxum superimponeretur.

On a black Marble.

M. S.

ANNA Pientissima dilectissima Conjux JOHANNIS DOWSING Clerici hinc exoptat evocari. Obiit Dec. 2. A.D. 1686. Ætatis 26to.

JOHANNES dictorum Parentum Filius natu secundus, cum annum compleverat, Matrem præmatura morte abreptam obsequio heu nimis præpropere secutus est. obiit Nov. 29, A.D. 1687.

Deinde post annos 24 SARAH COPPING utriusque Parens indulgentissima, Reverendissimi THOMÆ nunc Archipræfatus *Cantuariensis* Soror carissima, vere vidua 46 annorum, eodem hoc tumulo sepeliri voluit. Ob. Sept. 17. A.D. 1711. Ætat. 72.

JOHANNES DOWSING LL.B. Rector de *Wentworth*, dicti *Johannis & Marthæ* 2dæ Conjugis (quam in *Annæ* suæ locum adoptavit, Genero Uxorem Moritura commendavit, dicta *Sarah*.) Filius, & Hæres unicus, coelebs obiit Nov. 28. A.D. 1742, Ætat. 29. Cujus mortales reliquias sibi præreptas moerens & miseranda Mater hic deposuit, suas commistura.

MARTHA porro relicta præfati *Johannis Dowsing* Cler. A. M. (demum Rectoris de *Cottenham*) at ultra 22 annos Uxor THOMÆ WATKINS, A.M. hodie Ecclesiæ hujusce Ministri, utriusque carissima Consors & amantissima, Filium descendo citius absumpta, Deo vitam fudit Dec. 7. A.D. 1745. Ætat. 67.

On a black Marble.

Near this Stone lyeth the body of FRANCES KEMP, late Widow of *Thomas Kemp* of *Tbwait-Hall* in the County of *Norfolk*, Gent. who departed this life January 12, in the year 1691. Aged 67.

On a black Marble.

Here lyeth the Body of HESTER Wife of Wm. SILVERTOP Cl. eldest Daughter of *John Wake*, Gent. and *Hester* his Wife, who dyed Decem. 11th. 1697, Aged 28.

Also the Body of ABIGALE WAKE, youngest Daughter of the said *John* and *Hester*, who dyed Feb. 12th, 1717. Aged 43.

On a black Marble.

Here lyeth the Body of THOMAS WATSON of *Ely* Gentleman, who liv'd a devout worshipper of God, a sincere Friend, a just Dealer, a charitable and most useful Neighbour; and who desir'd and rejoic'd to dye in the peace and Communion of the Established Church of *England*: which he did on the 19th day of *May* in the 50th year of his age. Anno Domini 1703.

On a black Marble.

Here lyeth the Body of SUSANNA the Wife of WILL. CAWTHORNE, who departed this life the 19th of June 1703; in the 46th year of her age.

As you are, so were we;

And as we are, so must you be.

On a black Marble.

Here lyeth the Body of EDWARD MARSH, Gent. a Man mindful of his duty to God, one of great industry, and of equal honesty and fairness in his dealings: who being blest with a plentiful product of his honest Care left answerable Legacys to his numerous Relations, and some others, Especially to such whose lower circumstances most requir'd his Charity. He dy'd the 15th of Aug. 1703; in the 53d year of his age.

On a mural Monument.

Near this place lye the Bodies of WILLIAM MARSH, Gent: who died Oct. 25. 1708, aged 68 years.

Also EDW. MARSH Son of the said *Wm. Marsh*, and *Eliz.* his Wife, who died April 17, 1707, aged 20 years.

Also ELIZABETH the Wife of the aforesaid *Wm. Marsh*, who died May 4, 1719, aged 70 years.

And also THO. MARSH, Gent. Son of the aforesaid *Wm.* and *Eliz.* who died August 30, 1720, Aged 39 years: by whose last Will this Monument was erected.

On a black Marble.

Here lyeth the Body of NATH. BROWNE of *Ely*, Draper, and *Alice* his Wife, Daughter of *Thomas Angier* of *Ely*, Gent:

He died the 17th of June 1706.

She the 30th of March 1676.

On a black Marble.

Here lyeth the Body of MILES ANGIER of *Ely* Gent. who dyed the 11th of November 1706. Aged 62.

On a brass Plate.

Here lyes the Body of THO. MACKBRAIRE, youngest Son of *Robert Mackbraire* of *Newark* in the County of *Galloway*, *North Brittain*, Gent. who dyed the 28th of January, 1714. Aged 29.

On a black Marble.

Here lyeth the Body of THOMAS DOO, who departed this life the 23d day of August, Anno Dom. 1719. Ætat. 53.

THE LORD KNOWETH THEM THAT BE HIS.

Also Mrs. ABIGAIL DOO, Relict of Mr. *Thomas Doo*, died 29th July 1760. Aged 87 years.

On a mural Monument.

Near this place lyes the Body of WILLIAM COLE of Ely Gent. who dy'd the 16th of November 1724, Aged 77 years. He left a Legacy of three Pounds to be paid yearly to this Parish: forty Shillings thereof for 2 *Obit*-Sermons, one on *May*-day, and the other on the 16th of November: The remainder 20s to be distributed among 20 poor Widows that are at Church on those days.

Also MARY his Wife lyes here interr'd, she dy'd on the 20th of November, 1702, Aged 56.

On a mural Monument.

Near this place also lyeth the Body of SAMUEL COLE Apoth. Son of the above named Wm. and Mary Cole; who was born the 11th of April 1690, and dy'd the 6th of Feb. 1728-9. He was a Person of uncommon Industry, very punctual and exact in all his dealings, a friend to the indigent and necessitous whilst he liv'd; and when he dy'd he gave five Pounds per Ann. to the Poor of this Parish for ever.

On a mural Monument.

Near this place lyes interr'd the Body of ROBERT LIGHTFOOT Esq; some time Receiver of the Land Tax for the County of Cambridge: And also Receiver and Expenditor General to the Right Honourable the Corporation of Bedford Level. He dyed the 27th of July 1730, Aged 39 years. Near also lyes the Body of Mrs. MARY LIGHTFOOT, Relict of the above Robert Lightfoot Esq. She died 21st October 1763, aged 63 years.

And near also lye the Remains of Mr. ROBERT LIGHTFOOT, Son to the above-named Robert and Mary Lightfoot. He died 5th July 1748. aged 20 years.

Of what sort the above mentioned persons were, the last Day will discover.

On a black Marble.

H. S. E.

Vir omni Memoria dignus JOHANNES BRINGHURST A. M.
Ecclesiæ Cath. Eliensis Canonicus minor,
Ejusdem Præcentor, nec non Prælector Theologicus,
Ecclesiæ hujus Paroch: S S Trin:
Per annos ultra triginta
Pastor fidus ac diligens.

Multis quidem his, sed non magnis Ecclesiæ beneficiis
Ufus est, qui, si meritis par respondisset gratia,
Vel maximis auctus ornatusque fuisset.

Vir utique cui ad ingenii famam haud vulgarem,
Ad Doctrinæ laudem satis amplam,
Summæ simplicitatis, facilitatis morum suavissimæ,
Spectatæ erga Deum pietatis, erga amicos fidei,
Singularis erga omnes benevolentia
Egregia plane commendatio accessit.

His dotibus instructus,
Lenioribus pariter virtutibus ac severioribus ornatus,
Omnibus & Hominis & Clerici officiis
Cumulatissime satisfecit.

Magnumque adeo sui desiderium bonis omnibus
Moriens reliquit.

Obiit 4to die Febr. Anno Dom. 1735. Ætat. 56.

On a black Marble.

Near this place lyeth the Body of JOHN KING Esq; who dyed May 13th, 1736. Aged 61 years.

As also the Body of MARY his Wife, who dyed July 8th, 1730. Aged 53.

Here likewise lyeth the Body of JOHN KING jun. Gent. who dyed March 26th, 1752. Aged 54.

On a mural Monument.

That the Memory of an honest and well deserving Man may be transmitted to posterity

This Monument was Designed and Erected by
John Sanderfon of London Architect,
as a Grateful Acknowledgment for Services done him by
HUMPHRY SMITH Esq;

who departed this life the 27th day of March 1743,
in the 72d Year of his Age:

A Man who in every station of life acquitted himself with
Honour, Integrity and an Upright Mind;

Of a competent knowledge in the most Useful Arts
and Sciences;

But most eminent for his superior Abilities in Draining
Fenny and Marsh Lands;

Witness his Performances in *Thorney Level*,
in the Isle of Ely, and *Deeping Fens* in *Lincolnshire*;
in which places his Memory will be dear to all
Generous Minds.

On a mural Monument.

Near this Place lyes Interred the Body of
GOTOBED EAST Gent.

Sometime Receiver and Expenditor General to the
Right Hon^{ble} the Corporation of Bedford Level.

He died the 29th of August, 1753,
Aged 67 years.

On a black Marble.

In Memory of MARTHA JEA
who died March 3d, 1754. Aged 79.

On a mural Monument.

To the Memory of Mr. THOMAS HALL,
An eminent Surgeon and Apothecary of this City:

A Man of strict honesty and probity,
and in every respect an useful Member of Society.

It was his constant study to do good,
and to relieve the distresses of others,
rather than to enrich himself.

Among his Acquaintance he lived generous and friendly,
He was liberal to the Poor, and benevolent to All.

These social Virtues gained him respect whilst living,
and made his death universally lamented.

He was born at Ashford near Ludlow in Shropshire, and died
Feb. 28, 1759, in the 48th year of his Age.

On a small mural Tablet.

Sacred to the Memory of JOHN JEFFERYS, who liv'd with
inflexible Constancy and commendable Integrity, and
died with an unblemished Character, January the 27th,
1763. Aged 48 years.

In the North Isle of the Nave of the Cathedral, on a white
mural Tablet, is this Inscription:

1676. ROGER CLOPTON, Rector of Downham, gave 200l.
by which the greatest part of the Nave of this Church
was paved.

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